PATTERNS OF POWER

Japanese Hokkaidō

The Complete Study

1869 — 1899 — 2019

Thomas J. Bryan
with Claude (Anthropic)

Held as tested, not revealed.

CONTENTS

Preface & Outline — PREFACE AND OUTLINE

Landscape — AS THE AINU THEMSELVES DECIDE

Module 1 — BOTH CULTIVATING AND GUARDING

Module 2 — FIVE HUNDRED CHŌ, AND FIVE

Module 3 — A NATIONAL DISGRACE TO LOOK ON

Module 4 — FORTY-EIGHT OF THEM WERE SCHOOLS

Module 5 — AN UNAVOIDABLE POLICY

Module 6 — TEN THOUSAND YEN FOR A COALFIELD

Module 7 — THEY TOLD HER, AND SHE PRINTED IT

Module 8 — INTEREST-FREE, OVER THIRTY YEARS

Module 9 — UNTIL SUCH TIME IN THE FUTURE

Module 10 — A GIFT OF THE GODS

Module 11 — WHAT COULD HAVE KILLED SO MANY YOUNG MEN

Module 12 — THE FORTY-EIGHTH PREFECTURE

PREFACE AND OUTLINE

Front matter · how this study was made, the disciplines it holds itself to, and a map of its fourteen parts

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The collaboration

This is a case study in the Patterns of Power series, applying the series' framework to Japanese Hokkaidō, from the founding of the Colonisation Office in 1869 to the repeal of the Hokkaidō Former Aborigines Protection Act in 1997 and the recognition statute of 2019. The framework is a lens for reading how any order of power is founded, dressed, and held: the floor of force beneath every order, the robe of doctrine laid over the floor to make the force cheap, the settlement that divides the spoils, the cost column in which each subject prices defection, the seam that manages the belief on which the whole depends, the default by which an elite coordinates without instruction, and — running through all of it — position logic, the proposition that rulers in like positions converge on like solutions because a position poses a problem with only a few good answers.

Hokkaidō was chosen for three reasons, and each turned out to do work the collection could not have got elsewhere.

The first is that it is a non-European conquest running the European pattern, which lets a reader meet the mechanism without meeting his own formation. An Anglophone reader can watch a homestead statute, a rectangular survey and an allotment act modelled on the Dawes Act operate on a hunting people, and reach his own conclusions about them, because

nothing of his is implicated. The second is that Japan supplies a controlled comparison the series has never had: one state, five acquisitions in forty-one years, one doctrine, overlapping personnel — and opposite policies, which permits the assimilation question to be tested with ideology held constant. The third is that this order did not collapse. Every settler colony in the collection so far ended; this one naturalised, and is now simply a province of a wealthy country, which makes it the corpus's clearest specimen of an order that reached the pole where the machine runs itself.

The study was built the way the series is built, one module at a time. The author brought the framework, the direction, and the judgement of the whole, and held the collaboration to its disciplines; Claude, Anthropic's model, did the research — verifying every load-bearing quotation, date, and figure by web search against a source reproducing the primary text before any module was written — and produced the drafts, applying the framework module by module, each presented and confirmed before the next was begun. The framework's concepts are the series'; the Hokkaidō application, and the refinements it yielded, are the work of the collaboration.

Its engine throughout is the method of information asymmetry: setting the exact public words beside the exact words of the ground and letting the distance speak. Ieyasu's black seal of 1604 guaranteeing that as concerns the Ainu, wherever they may go, it shall be as the Ainu themselves decide — beside the regulation of 1872 declaring all land whatsoever to be the state's. Five hundred *chō* free to a settler in 1897 beside five to an Ainu household in 1899. An 1893 committee warning that it would be a national disgrace for Englishmen to be seen educating Ainu children, beside the fact that nothing whatever had been addressed to those children in twenty-four years. The study lays out the arithmetic and leaves the sum to the reader. It does not preach the conclusion.

One limitation is structural and is stated here rather than buried. A large part of this record exists only in Japanese, much of it in Meiji and Tokugawa administrative Japanese, and a substantial share of what was reachable was reachable only through translation or through English-language scholarship. Where a quotation has been seen only in a modern scholar's rendering, the module says so and gives it as paraphrase rather than as quotation. Several load-bearing passages are flagged in their sources notes as needing collation against originals this study could not reach.

The disciplines

Five rules govern every module.

Quotation. Public-domain primary sources — laws, decrees, charters, ordinances, official reports — are quoted exactly, in the original and with a translation, at the length the argument needs, because in a legal fiction the precise wording is the evidence. Modern copyrighted scholarship is paraphrased, briefly, and credited.

No fabrication. No quotation, date, attribution, or figure is ever invented or reconstructed from memory. What cannot be verified is dropped or flagged, never guessed; contested figures are given as ranges, and this case has many — the Ainu population under the Tokugawa, the convict dead on the Kitami road, the price paid for the Horonai coalfield, and the deaths of Korean forced labourers, which are given as an empire-wide rate because no Hokkaidō count was found and none has been manufactured here.

Gravity without partisanship. Suffering is held with gravity, and the study refuses both flattery and demonisation — it names the legal fiction as fiction and explains the order's logic without excusing it. Its recurring watchword is *legibility is not pardon*.

Contribution. Every module returns a refinement to the framework, stated plainly in its closing section, rather than merely applying the framework to the case.

Held as tested, not revealed. The pattern is treated as something discovered and tested against the evidence, not handed down as doctrine — a lens laid over the record, a tendency and never a law.

What Hokkaidō added to the framework

Because this is the collection's first non-European settler case and its only one that did not end, it was able to name features the European colonies obscure. Chief among the refinements the study contributed: that the settlement's fiction and the formation policy are both downstream of one prior question — what the conqueror wants the ground for — and that the same apparatus of hair, dress, name and language can reverse its polarity inside a single lifetime when the object changes from a flow drawn off a people to the ground beneath them; that a conqueror can inherit forged intermediaries from an earlier conqueror, and that a forgery two generations old is indistinguishable at the moment of arrival from an institution; that vacancy is the cheapest of the three settlement fictions because it alone requires no counterparty, and therefore leaves no treaty, no signature and no clause deciding which language prevails; that where the native population is too small to be a labour funnel the coercion does not vanish but emigrates, so that the conqueror manufactures a labour force in his own metropole and the resulting deaths are filed as a domestic labour question; that a game law is a weapon and the cheapest item on the floor's menu, because a statute removing a man's food produces hunger rather than arrests and generates no criminal record for a later investigator to find; that a conquest made by a state still assembling its own nation will tend to impose formation where one made by a finished nation-state

withholds it; that the journey from the expensive pole to the cheap one is not primarily a function of time but of whether the order can afford to fill the benefit column, so that an affordable omission is a choice; that a regime demonstrably owning a censor and declining to use it on a subject has told you the subject was not a risk; that a colonial scandal succeeds when a faction stands to gain from its circulation and not otherwise; that where a conquered people has no elite, the order acquires a silence it did not have to buy, because no faction's positional interest is served by raising their grievances; that liberty's residue accrues to the factions and to those already inside the legal community, not to the periphery whose affairs occasioned the quarrel; that plurality and foreclosure are descriptions of positions within an order rather than of orders, and can run simultaneously in one state divided by a jurisdictional line; that where universal categories have been adopted, exclusion migrates into the qualifying conditions and becomes a chain of separately innocent instruments whose intersection is empty; that a crack opened by an external conqueror releases only what that conqueror's categories can name, and can take from those the categories misclassify; that a settler colony which annexes rather than administers does not decolonise but naturalises, and that its administrative apparatus is precisely what survives; that a people carrying no coordination-supported overshoot generates no metabolic debt, so that the note falls due on the resource base instead and is discharged as ecological liquidation over a century rather than famine in a decade; that dispossession by inundation leaves no evidence an investigator would recognise; and that the variable sorting assimilation from segregation is the ratio of settlers to indigenous inhabitants, operating through the civil register, with the metropole's stage of self-assembly modulating the vocabulary rather than the policy.

The arc

A landscape opening and twelve modules, each with a framework function and its own evocative title.

Landscape — the two orders on the eve of 1869. *As the Ainu Themselves Decide.* A cultural complex six centuries old laid over older substrates, whose leaders wore Manchu court silk and held Qing commissions; and above it a Matsumae domain enfeoffed with no land, holding its rank from a trade monopoly alone — and therefore spending two and a half centuries forbidding the Ainu to become Japanese.

1 — The Floor of Force. *Both Cultivating and Guarding.* The last battle of the civil war, a farmer-soldier militia of the defeated planted against Russia, and convict gangs shipped north under sentence: three instruments of organised violence, every one composed of Japanese and aimed at Japanese or at Russia — and a game law doing the work a punitive column would have had to do.

2 — The Settlement. *Five Hundred Chō, and Five.* All land whatsoever declared the state's in a subordinate clause in 1872; a million hectares given away without auction in 1897; and two years later a statute granting a hundredth of that to the island's original inhabitants on terms that forbade them to borrow against it.

3 — The Robe. *A National Disgrace to Look On.* Three tutelary deities made in Tokyo in a fortnight and carried north in a box; a single announcement of four prohibitions addressed to the Ainu in thirty years; and a committee in 1893 alarmed not that Ainu children were uneducated but that Englishmen were educating them.

4 — Formation. *Forty-Eight of Them Were Schools.* A formation the metropole's own peasants were burning down in 1873, pointed at the conquered before it had settled at home — imposed in full on the identity side and truncated on the

capacity side, and producing, by accident, the woman who wrote down thirteen songs of the gods and died at nineteen.

5 — The Cost Column. *An Unavoidable Policy.* Three ledgers on one island: an Ainu household enclosed without police, a settler farmer who arrived a beneficiary and ended a tenant, and a convict chained at the ankle under a policy whose author wrote down that the deaths were a saving.

6 — Extraction. *Ten Thousand Yen for a Coalfield.* No tax on the conquered at any point; herring pressed into fertiliser for the cotton fields of the Kinai; a state-built colliery sold for a thirteenth of its comparable value with the loan of convicts attached; and a homestead statute with no residence requirement, which converted the labour of the landless into the capital of the applicant.

7 — Information and Suppression. *They Told Her, and She Printed It.* A working censor that prosecuted editors for fifty years and was never once pointed at the colony; a scandal about money that brought down a faction of the cabinet; and the Ainu of Biratori telling a London bestseller in 1878 exactly what was being done to them, to no effect whatever.

8 — Elite Coordination and the Default. *Interest-Free, Over Thirty Years.* Four governments in seventeen years, a fight that forced the promise of a constitution, decades of tenant organisation, one landlord who gave his estate away — and not one occasion on which anybody questioned whether the island had been the state's to dispose of.

9 — Plurality or Foreclosure. *Until Such Time in the Future.* Japanese liberty extracted by a quarrel over this island's assets, and this island excluded from it by name in the same statute; an eleven-year settler campaign that won the franchise back; and a people who were never barred from voting and could not vote, because the tax threshold met the grant that had made them landholders who could not raise money.

10 — Change and Collapse. *A Gift of the Gods.* The only crack in the floor in seventy-six years, opened by a foreign army;

a land reform that broke the absentee estates and took a third of the Ainu granted land under the same definition; five years, and then a war in Korea repriced the country and the window shut.

11 — The Grim Accounting. *What Could Have Killed So Many Young Men.* A conquest with no famine because there was no coordination to break; a people submerged rather than killed; a metabolic debt paid by the deer, the salmon and the herring instead; and the largest body of dead on this ground brought here from a conquest forty-one years younger.

12 — Convergence and Divergence. *The Forty-Eighth Prefecture.* Five acquisitions by one state, two of which became provinces of Japan and three of which never could have; the civil register as the instrument that decided which; and the strongest case for the defence, stated in full in its own voice and set beside the arithmetic.

❧

A note on sources. This front matter is descriptive and makes no primary-source claims of its own; every factual assertion about the case is established, with its sources and with its limits marked, in the module it summarises. The framework it describes is the series'; the disciplines it lists are the ones the modules hold themselves to and document in their own closing notes.

LANDSCAPE

AS THE AINU THEMSELVES DECIDE

Landscape — the two orders on the eve of 1869: what the Meiji state found on the island it was about to rename, how it had been made, and how far it had stopped looking made

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

Before the Ainu

Nowhere is blank, and the northern island had been made and remade three times before anyone in it called himself Ainu. The hunter-fisher-gatherers of the Jōmon and the Epi-Jōmon held Hokkaidō for millennia; from around the seventh century a culture archaeologists name Satsumon, after the brushed-pattern pottery it left, spread from northern Honshū across the centre and south of the island, living in pit-houses by the salmon rivers and — the point worth holding — practising a rudimentary agriculture and showing the first stirrings of a political organisation that, left alone, might have grown into something like a state. Along the Okhotsk coast and down from Sakhalin and the Amur came a different people entirely, sea-mammal hunters with their own pottery and their own dead, who occupied the north-eastern shore from about the fifth century. Between the twelfth and the thirteenth the Satsumon absorbed the Okhotsk, iron pots and Chinese ceramics came up from the south, earthenware ceased to be made, the pit-house gave way to the flat-land dwelling with a hearth, and out of that

fusion emerged the cultural complex the record afterwards calls Ainu. The date matters and should not be softened: the people whom Japan met were the inheritors of a synthesis roughly six centuries old, laid over substrates older still, on an island that had been taken and re-taken by arrivals from two directions long before any Japanese state had a use for it. There is no first innocent order here either. There are only earlier builds that took.

A people made more distinct by the people who met them

What the Meiji surveyors found in 1869 was a countryside of *kotan* — villages of a handful of households each, sited on a river bank or a shore, the reed-thatched *cise* facing the water, a bear cage, a stilted storehouse, a rack of drying salmon, and an altar of whittled *inaw* wands set toward the east. Beyond the kotan lay the *iwor*, the common ground of forest and river where the households of a valley cut wood, hunted deer, netted salmon and gathered plants, shared with neighbouring kotan by arrangement; and beyond the iwor, political organisation thinned out fast. Authority sat with a respected elder in the village and the senior man of each house. Kinship ran along the river systems, and the thing that most reliably drew several kotan together was the *iyomante*, the bear-sending, in which a cub taken young was raised in the village, fed and honoured for a year or two and then dispatched with prayers and blunted arrows so that the divinity inside it could go home to the world of the *kamuy* and speak well of its hosts. There was no writing. What a people knew of its gods, its ancestors and its own past it carried in the *yukar* and the *upaskuma*, recited and re-recited, and the consequence for anyone studying this order is total: almost every written word about the Ainu before the twentieth century was set down by the men who were dispossessing them.

This much a nineteenth-century observer would have reported as timeless, and the report would have been wrong in a way that matters. The Satsumon had farmed; their Ainu successors gave it up, and the best explanation on the record is not that they forgot how but that Japanese demand for pelts, feathers and dried fish made hunting pay and cultivating not — a people reorganising its economy toward what its trading partner would buy. Emori Susumu's reading, which the later scholarship has broadly followed, adds the second half: two centuries of intermittent war with the Japanese pushed the scattered communities of a thinly spread and internally various culture to close their cultural and linguistic ranks, so that the Ainu became more coherent as a people than they would otherwise have been. The distinctness the Japanese state would later find so inconvenient was in part a distinctness that Japanese pressure had helped to sharpen.

None of that makes the thing less real. A man in a kotan in 1860 was authentically Ainu, spoke Ainu, buried and married and prayed as Ainu, and would have found the suggestion that his world was a recent construction as meaningless as a Norman would have found it. A built thing that became real is a sturdier object than a lie, and naming the build is not debunking it. But it does mean that the "primitive hunter-gatherer, unchanged since antiquity" whom the Meiji ethnographers described was a figure with a history, and that some of the history was theirs.

The other question worth settling now, because a later reckoning will need it, is what this arrangement was doing to keep people alive. The answer is: salmon and trout on the autumn runs, deer taken in the hills, bear, sea mammals on the coasts, shellfish, roots and lily bulbs and the inner bark of the elm, stored against a winter of five months — supplemented, by the eighteenth century, and then increasingly depended upon, by rice and millet obtained in trade. There was no granary system, no irrigation works, no redistributive administration, no coordination of any kind holding a population above what the

island's own runs and herds would carry. The safety margin was space: room to move to the next valley when the salmon failed. That is a different kind of subsistence from the kind a conquest can break by seizing its machinery, and the difference will matter enormously later, because there is no machinery to seize — only the space.

Officers of a distant emperor

Nothing dispels the isolated-primitive picture faster than following the goods. The Ainu of Sakhalin and the Kurils sat on a trade route running from the Amur basin down through the islands into Japan, and they worked it. The Qing dynasty, after fixing its northern border by the Treaty of Nerchinsk in 1689, ran a fur-tribute system out of administrative centres at Ningguta and Sanxing over the peoples of the lower Amur and Sakhalin; by 1750 some fifty-six clans and rather more than two thousand households were registered as tribute-bearers, and what came back down the line to a clan or village head who delivered furs was a set of Manchu court robes — the dragon-figured *mangpao*, the *bufu*, the *chaofu* — the working uniform of a Qing official. Especially large tributaries were permitted to take an adopted daughter of a Banner official in marriage and to trade at the tribute post. Those silks then moved south, sold on by the Ainu who had received them, and reached Japan as *ezo nishiki*, Ezo brocade, a luxury of considerable prestige because the quality exceeded what came through the Dutch and Chinese trade at Nagasaki — so that the Matsumae house dealt in Qing court dress obtained by Ainu who were, formally, servants of the Qing.

Put a face on it. In the 1770s Yōchite, head of the Nayoro clan on the west coast of Sakhalin, came down to the Japanese post at Sōya wearing a Manchurian silk robe worked with a three-clawed dragon, and presented the Matsumae officials with a map he had drawn of country in Manchuria that they did not

know. His house held a memorandum written in Manchu attesting that its holder was an officer of the Qing state; when a shogunal explorer learned of the document decades later it substantially changed what Edo thought its northern frontier was. This is not a people to whom things merely happened. It is a people positioned between three states, trading with all of them, holding office under one, and shrewd about it — and it is worth recording that when Kakizaki Yoshihiro went south at the end of the sixteenth century to secure recognition of his position from Japan's new masters, he wore Santan brocade obtained through Ainu contacts on the Amur. The lord who claimed suzerainty over the Ainu dressed for the audience in cloth their network had brought him.

The black-sealed letter

On the twenty-seventh day of the first month of Keichō 9 — 1604 — Tokugawa Ieyasu issued to Matsumae Yoshihiro a short instrument under his black seal. It has four operative lines, and every one of them repays exact reading.

> 定 一 自諸国松前へ出入之者共 志摩守不相断而 夷仁与直ニ商売仕候儀 可為曲事事 一 志摩守ニ無断而令渡海 売買仕候者 急度可致言上事 付 夷之儀者 何方へ往行候共 可致夷次第事 一 対夷仁非分申懸者堅停止事 右条々若於違背之輩者 可処厳科者也 依如件

Ordained. First: any person going to or from Matsumae from the various provinces who, without the leave of the Lord of Shima, trades directly with the Ainu — this shall be an offence. Second: any who crosses the sea without the leave of the Lord of Shima and there buys and sells shall be reported without fail. Appended: as concerns the Ainu, wherever they may go, it shall be as the Ainu themselves decide. Third: laying unjust demands upon the Ainu is strictly forbidden. Any who transgress these articles shall be severely punished.

Read what the instrument restrains and what it leaves free. Every prohibition binds a Japanese. The monopoly is a rule about who among the shogun's own subjects may deal with the Ainu; the Ainu themselves are guaranteed their movement in the appended clause and protected, in the third article, against unjust exaction. As a matter of drafting it is not the charter of a conquest at all. It is a licence to a middleman, and it recognises the counterparty as free.

The second fact about the Matsumae house is the one that governs everything for the next two hundred and sixty years, and it is a fact about revenue. Ezo would not grow rice, and the Tokugawa settlement assessed and rewarded its lords in rice. Matsumae was therefore enfeoffed with no land — it held its standing in the realm from the monopoly and from nothing else, and was reckoned notionally at ten thousand *koku* it did not produce. Lacking grain with which to pay its retainers, the domain paid them in the only currency it had: a senior vassal received not fields but an *akinaiba*, a place of commerce — a stretch of Ainu coast with the right to conduct and tax the trade there. In time these became the *basho*, the trading stations, and the whole administrative geography of the island was drawn as a map of transaction rights.

The consequence follows without anyone having to intend it. A lord whose fief is a trade needs the party he trades with to go on existing, in the character that makes the trade his to license. If the Ainu ceased to be Ainu, the licence had no object, and the house that held it had no reason to be in the peerage. That arithmetic, and not sentiment or doctrine, is what set the northern policy of Japan for the whole Tokugawa period.

The line, and the risings that tested it

The domain drew a line across the Oshima peninsula, and it drew it as law. To the south lay the *Wajinchi*, Japanese land, a small exclave at the island's southern tip with guardhouses at its

eastern and western ends, roughly equidistant from Matsumae castle. To the north lay the *Ezochi*, which comprised something near ninety-five per cent of the island's area, was formally not part of Japan, and was reserved to the Ainu. Japanese might make seasonal fishing and trading forays across the line but could not settle or winter beyond it; Ainu could not travel south of it except to present themselves at Fukuyama castle. Two peoples, one island, a border in the middle of it, and a Japanese state whose formal position was that most of the ground it was drawing revenue from was foreign.

The line was tested three times. In 1457 an Ainu youth at Shinori, near modern Hakodate, ordered a small ritual knife from a Japanese blacksmith; they quarrelled over the quality and the price; the smith stabbed him; and the Ainu of the peninsula rose under the chief Koshamain and destroyed most of the Japanese stockades before Takeda Nobuhiro — ancestor of the Matsumae house, which owes its position to the suppression — broke them. A century of intermittent warfare followed. That an argument over a blade should set off a war is only surprising if one has not noticed how completely iron had already become necessary to a people who could not make it.

The second test was the largest and it turned on a price. As the *akinaiba* hardened into fixed stations, the Ainu lost the ability to shop between buyers, and the buyers used it: through the 1650s and 1660s the rate paid for a hundred dried salmon fell from two *to* of rice to seven or eight *shō* — from something on the order of thirty kilogrammes to something on the order of ten. Japanese rice was measured out to the Ainu in the *i-dawara*, the "barbarian bale", a smaller sack than the one used among Japanese, a fact that tells you the shortfall was systematic rather than incidental. Salmon were netted at the river mouths by Japanese crews before the runs reached the villages. Children were taken as sureties against delivery. In 1669 Shakushain of the Shibuchari, who had come to lead the eastern Menashkur out of a long feud with a rival Ainu house, put together a

coalition of communities that had been fighting one another and turned it outward: the demand was independence from Matsumae and the restoration of direct trade with Honshū, and something near three hundred Japanese miners, traders and seamen were killed across the island. Matsumae, short of money, was lent twelve hundred *koku* of rice by the shogunate and reinforced by the neighbouring domains; some two hundred matchlocks decided the fighting at the Kunnui river. At the end of the year Shakushain came in to make peace, and at the banquet held to celebrate it he was killed. The submission oaths afterwards bound the Ainu to trade with no one but Matsumae and fixed the exchange rate in writing.

After 1672 the shape of the thing changed again. From the early eighteenth century the domain and its vassals stopped operating the trading places themselves and farmed them out under contract to Honshū merchant houses — the *basho ukeoi* system — and the merchants, who had capital, brought their own boats and nets and made the Ainu not counterparties but a labour force. Goods were advanced against future catches at prices the debtor could not check; the debt required more labour; sake was extended freely and became, as it did in other places where a trading power met a people without a currency, a lever as much as a commodity. By the 1780s the herring and salmon fisheries of the eastern coast were industrial operations manned by Ainu crews, and the trade whose licensing was the legal basis of the Matsumae house had become economically secondary to the fishery whose workers those licensed subjects now were.

The third test came out of exactly that. From 1774 the merchant house of Hidaya worked the Menashi–Kunashir coast; the account left by Aoshima Shunzō, the Edo official later sent to investigate, conceded that the terms of remuneration there could not sustain life. Men were worked through the season with no time to lay in winter food; supervisors took Ainu wives; and in May 1789, after several deaths that were believed to be

poisonings, the young men of the eastern villages killed more than seventy Japanese. It ended without a battle. Ainu chieftains of the region carried the Matsumae summons, and more than three hundred of those involved came in and surrendered; of the thirty-seven or thirty-eight held directly responsible for killings, all but one who had fled were beheaded, and their heads were packed in salt. One of the men who had brought his people in was Tsukinoe of Kunashiri, who had sent word of the rising to Matsumae in the first place and who then persuaded his own son, one of its organisers, to give himself up. The son was among the executed.

The following year the domain commissioned from Kakizaki Hakyō — a Matsumae retainer, and the fifth son of a former lord of the house — a series of twelve portraits of the elders who had helped to end it. The *Ishūretsuzō*, "Portraits of the Barbarian Chieftains", shows them at three-quarter length in Chinese court brocade, Korean wool, Javanese batik and boots and coats of Russian cut, painted with a technical seriousness that the Japanese connoisseurs of the day found remarkable, and the set was sent to Kyoto and presented to the Emperor Kōkaku. Tsukinoe is the second figure. The salted heads and the silk portraits were commissioned in the same eighteen months by the same government, and the two together are a fair statement of what the arrangement offered an Ainu leader by the end of the eighteenth century.

The last point about that period is structural rather than moral, and it will be needed twice. The offices held by Ainu village heads under this system were not native to Ainu society; Kaiho Mineo's reconstruction shows them corresponding, post for post, to the offices of a self-governing Japanese peasant village. Matsumae had not found an Ainu administration and captured it. There had been nothing to capture — no tax roll, no court, no apex, no man whose word bound a country. What it had done was to manufacture one, in its own image, out of men

whose standing then depended on delivering workers to the fishery. Whoever came next would inherit that.

A law against becoming Japanese

Now the sentence that reorganises the case.

The Matsumae domain forbade the Ainu to become Japanese. Not as an omission or a neglect but as policy, enforced by the interpreters who ran the stations. Mogami Tokunai, a shogunal explorer of the 1780s and 1790s who saw the system closely and disliked it, recorded that if an Ainu happened to speak Japanese the interpreters would rebuke him for an unforgivable offence and demand an indemnity, and that the same followed if he wore a straw raincoat, straw sandals or leggings; the rule of the house, Mogami wrote, was one of "not allowing the Ezo to adopt Japanese customs." He drew the inference himself, and it is the right one: the object was to keep the Ainu from taking up agriculture or any other trade that would end their dependence on Japanese goods. Matsumae officials were content to encourage the eating of rice; they never required its consumption and never permitted its cultivation, because a people growing grain would have been a people no longer exclusively hunters, and the fiction that they were exclusively hunters was load-bearing. Hair, dress and language were policed. Diet, religion, household and community were left largely alone — the visible markers, which could be regulated without touching the economics, and not the deep structure, which could not be touched without exposing what the arrangement actually was.

Hold the shape of that. Here is a conquering power with a two-century monopoly over a subject people, which spent real administrative effort every year preventing them from assimilating. It is the exact inverse of what a reader who arrives from the Atlantic colonies expects, and the reason is not culture, doctrine or a theory of race. It is that the extraction ran on a

flow of goods drawn off a people, and that the legal right to draw it was defined by their being a distinct people. Difference was the fiscal object. You do not dissolve your own object.

The sign reverses

Then the object changed, and everything reversed inside two administrative generations.

Russians began appearing off the Kurils from the 1770s; Adam Laxman reached Nemuro in 1792 seeking trade; Rezanov's men raided Sakhalin and Etorofu in 1806 and 1807. The shogunate, which had already concluded that Matsumae's handling of the Ainu might push them toward the newcomers, took eastern Ezochi under direct rule in 1799, then the rest of it, moved the Matsumae house off the island entirely, and installed a magistrate at Hakodate; the domain was restored in 1821, and the shogunate took the island back again in 1855. What made 1855 decisive was not a landing but a document. In the treaty concluded with Russia at Shimoda on 7 February that year, the border was fixed in the Kurils between Etorofu and Uruppu, and Sakhalin was left undivided, open to the subjects of both. Japan was now inside a system of international law in which ground belonged to the state whose subjects inhabited it — and the inhabitants of the ground Japan wished to claim were Ainu, whom Japanese law had spent two hundred and fifty years defining as not Japanese.

The magistrates dispatched to Ezochi from 1855 therefore ran an assimilation programme whose declared purpose was to secure recognition of Japan's title to Hokkaidō, the Kurils and southern Sakhalin by establishing that the people on them were Japanese. And they went after precisely the same things Matsumae had gone after — hair, clothing, names, language — with the sign inverted. Kasahara Gengo, posted to Shiraoi in 1856, got the local elders to undertake to give up earrings and to stop tattooing the faces and hands of women, to fold the

kimono to the right in the Japanese manner rather than to the left, to take Japanese names and to learn Japanese. Anticipating that few would give up the outward marks of who they were for nothing, he paid. Each of the fourteen or fifteen men who came forward to be entered on the register — the first step to being carried in the local administration as a peasant — received about eighteen litres of brown rice; those who agreed further to assimilate received cotton cloth as well. In a few villages seven in ten complied. Elsewhere officials found men who went up into the hills rather than have their hair cut, and men who consented cheerfully in exchange for goods and resumed their own way the week the officials left. The uimam and umsa ceremonies were kept on, now with better treatment and better gifts for the assimilated, as an inducement.

That is the finding this landscape exists to establish, and it does not need a framework term to state. The instrument did not change. The same short list of superficial, visible customs — the hair, the coat, the name, the tongue — was the object of policy before and after, policed by the same sort of official with the same sort of leverage. What changed was the sign, and what changed the sign was a change in what the island was wanted for. While the object was a flow of dried salmon and pelts drawn off a people, the people had to stay a people. Once the object was the ground itself, held against a rival empire under a law that read inhabitants as title, the people had to stop being a people. Segregation and assimilation, in this case, are not two philosophies. They are one apparatus with its polarity switched, and the switch is thrown by the answer to a question about property.

What arrived

The last Tokugawa forces to hold out against the imperial armies did so on this island. Enomoto Takeaki's fleet carried the shogunate's remnant north in late 1868; they took Matsumae

castle in December, proclaimed at Hakodate in January 1869 a republic whose officers were chosen by ballot among the samurai present — the first election held in Japan — and petitioned Kyoto to be allowed to develop Ezo and keep the traditions of their class unmolested. The petition was refused. Seven thousand imperial troops landed in April, the fleet was destroyed in May, and the Republic of Ezo surrendered at the end of June. Eleven days later, on the eighth day of the seventh month of Meiji 2, the new government established the *Kaitakushi* — the Colonisation Office — and gave it ministerial rank.

Six weeks after that, on the fifteenth day of the eighth month, the Council of State promulgated a decree whose title is its own summary: 蝦夷地ヲ北海道ト称シ十一国ニ分チ国名郡名等ヲ定ム — *Ezochi shall be styled Hokkaidō and divided into eleven provinces, and the names of the provinces and districts are hereby fixed.* Eleven provinces and eighty-six districts, named at a stroke. The man who supplied the names was Matsuura Takeshirō, who had crossed the island six times from 1845 with Ainu guides, mapped it, and recorded some nine thousand eight hundred Ainu place-names in the process. Asked for a name for the whole, he submitted six, and the one taken up was 北加伊道, *Hokkaidō* — because at a camp on the upper Teshio an elder had told him that *kai* meant one born in this land and the syllable after it was an honorific, and he wanted the word in the name. The government kept his sound and replaced his character with 海, sea, so that the island is called, in the writing, the Northern Sea Circuit. Almost nine thousand of his Ainu place-names survive on the map. The one Ainu word he put in the name of the country does not.

What the office was for was stated plainly enough by the men who ran it. Kuroda Kiyotaka, sent north in 1870 to look at Sakhalin, reported in November that Japan would lose it within three years unless the position changed, and argued that the development of Hokkaidō was the way to acquire the strength to

face Russia at all. On that argument the government approved, in August 1871, a ten-year programme carrying ten million yen against a national budget of about fifty million — an annual commitment of some two per cent of the state's entire spending for a decade, on one island — and the outlays over the ten years from 1872 ran to roughly twenty million. Kuroda went to the United States and hired Horace Capron, President Grant's Commissioner of Agriculture.

And the men who would be put on the ground were, in the words of the successor agency's own official history, the *shizoku* whom the Restoration had thrown out of work. This is the other half of what arrived. Roughly 1.9 million people — something over five per cent of the population — were registered as shizoku, the new legal name for the former samurai; the stipends they drew were the largest single item in the new state's expenditure, and when those stipends were finally converted into bonds in 1876 the government's outgoings fell by about thirty per cent. Between 1869 and 1876 the domains were abolished, conscription was extended to commoners, the stipends were taxed and then commuted, and the wearing of swords was forbidden. A warrior class of nearly two million was being dismantled by a government that could not pay it, and there was an island to the north with a Russian frontier on it.

As for who was already there, the first serviceable count comes from 1873, four years in: 16,272 Ainu within a total island population of 111,191 — a little under fifteen per cent. Estimates of the Ainu population under the Tokugawa vary widely and should be given as a range rather than a figure; the careful modern reckoning puts it at twenty to thirty thousand for most of the period, while some accounts, resting on thinner evidence, propose eighty thousand in the early eighteenth century. What is not in dispute is the direction, or that smallpox, measles and syphilis carried in by the coasting trade did much of it. The competing explanations — that an unexposed population had no defence, or that men worked through the

fishing season without time to lay in winter stores and dispersed from their villages will die of whatever arrives — are both in the literature, and the second has been gaining ground; the module that has to count the dead will have to weigh them, and this one only notes that the argument exists. But the demographic fact for 1869 is simple and it is the fact a Japanese official would have registered first. Before a single settler family had been landed under the new dispensation, the indigenous people of the island were already outnumbered on it by something like six to one.

Reading the northern island against the framework

Four findings, and the first is the contribution.

The settlement's fiction and the formation policy are both downstream of one prior question — what the conqueror wants the ground for — and Ezo lets you watch the same instrument reverse its sign inside a single lifetime. This collection has treated assimilation and segregation as different answers, and has generally met them in different cases: an order that forms a native administrative stratum because it needs the surplus those men can collect, or an order that refuses to form one because its own children want the posts. Ezo runs both, consecutively, under the same flag, using the identical short list of regulated customs — hair, dress, name, language — and the variable that flips the polarity is neither ideology nor the ratio of populations but the object of extraction. Where the object was a flow drawn off a people, difference was the asset and had to be manufactured and policed, to the point of fining a man for speaking the ruler's language and forbidding him the ruler's crop; where the object became the ground, held against a rival state under a law of nations that read inhabitants as title, difference became a competing claim and had to be dissolved, with rice and cotton

cloth paid out for each man who let his hair be cut. The apparatus did not have to be rebuilt for the reversal. It only had to be turned round. A study that meets one of these phases without the other will report a state driven by a doctrine about peoples, and it will be wrong: the doctrine followed the property question, and when the property question changed the doctrine changed with it inside forty years.

The robe here was cut for the metropole two centuries before there was a colonial metropole to cut it for. The uimam audience at Fukuyama — the Ainu chief in his winter beard, kneeling by the end on matting laid in the garden where his predecessors had sat near the lord, receiving gifts of little value to the giver and considerable value to him — was a ritual whose form by 1800 owed more to Japanese bureaucratic protocol than to anything Ainu, and whose principal audience was Japanese. It reassured the domain, the shogunate and the visiting inspectors that the Matsumae house held what it claimed to hold. The Ainu, who had their own word for the ceremony and whose word means trade and carries no sense of submission at all, appear to have read it as the market it originally was. Two parties performing one rite and each taking from it what his position made visible: that is the seam already split, before the conquest proper begins, and the framework's expectation that a colonial legitimating story is addressed to the conquerors and not the conquered is confirmed here in an unusually pure form — because it is confirmed by an order that was not yet colonial, and that therefore had no modern doctrine to be hypocritical about.

A conqueror can inherit forged intermediaries from an earlier conqueror, and their age does not make them native. There was no seat in the Ainu order for a stranger to occupy: no apex, no revenue machinery, no office whose holder could deliver a country, and nothing that the Matsumae house or anyone else could have simply sat down in. What Matsumae did instead was build a set of village headmen on the template of

the Japanese peasant village and make their standing depend on supplying labour to the fishery. By 1869 that apparatus was well over a century old and looked, to a newly arrived Meiji official, like Ainu custom. It was not. It was the previous conquest's manufacture, and the Kaitakushi would take delivery of it along with the coastline. The refinement this adds is worth stating plainly: when a case shows a conqueror finding usable intermediaries already in place, the question is not only whether the native order pooled its authority into a seizable office, but whether some earlier stranger had already forged one — because a forgery two generations old is indistinguishable, at the moment of arrival, from an institution.

And the recursion holds, uncomfortably, as the discipline requires. The Ainu were not a baseline. Their cultural complex was a thirteenth-century synthesis over older ones; they had risen twice against terms of trade and once against a knife; they fought each other over fishing rights on the Shibuchari long before Matsumae had a use for the quarrel; their chiefs had internal politics and made calculations, and one of them handed over his own son. Their leaders wore the court dress of a Manchu empire, and some held its commissions. Naming all of that is not a mitigation of anything that follows and must not be allowed to become one. It is the opposite: it establishes that the people the Meiji state was about to describe as children of nature, incapable of the arrangement of their own affairs, were in 1869 a people with six centuries of politics behind them, two international patrons, a hundred and fifty years of experience of contract labour, and a very exact knowledge of what a bale of rice was supposed to weigh.

❧

A note on sources. The 1604 black-sealed letter of Tokugawa Ieyasu to Matsumae Yoshihiro is quoted exactly in the original, from the text of the Matsumae domain records held in the Northern Studies collection of the

Hokkaidō University Library and reproduced online; the English rendering is this study's own. The title of the Council of State decree of Meiji 2, eighth month, fifteenth day is quoted exactly from the reproduction of the *Kaitakushi jigyō hōkoku* appendix of decrees; the English is again this study's. All Japanese dates before the calendar reform of 1873 are given as they stand in the Japanese sources, by era, month and day of the lunar calendar, and do not correspond to the Gregorian dates of the same numbers; where a Gregorian date is given — the Treaty of Shimoda of 7 February 1855 — it is because the source supplies it.

The language problem should be stated once and held throughout. A large part of the record for this case is in Japanese, much of it in Meiji and Tokugawa administrative Japanese, and a good deal of what is reachable here is reachable only through translation or through English-language scholarship. Where a quotation has been seen only in an English rendering by a modern scholar, that is said. In particular, the words of the shogunal explorer Mogami Tokunai on the Matsumae prohibition of Japanese custom — a text of about 1790, itself in the public domain — are given in the short phrase in which they appear in David L. Howell's translation in *Past and Present* (1994), and the original has not been consulted; the same applies to the Kaitakushi proclamation of 1869 describing the island as having lain in undisturbed nature with only fishing conducted upon it, which is quoted at second hand from its reproduction in the recent English-language literature and should be collated against the original before it is relied upon further.

Modern scholarship is paraphrased and credited, not quoted. The account of the ethnic boundary, of the *uimam* and *umsa* ceremonies and their transformation, of the Matsumae house's want of a fief and its consequent dependence on Ainu distinctness, of the prohibition on Ainu adopting Japanese custom and of the reversal of that policy after 1855 including Kasahara Gengo's work at Shiraoi, follows David L. Howell; the correspondence between Ainu headmen's posts and Japanese village offices is Kaiho Mineo's; the reading of Ainu ethnic consolidation as partly a response to conflict with the Japanese is Emori Susumu's; the ecological and commercial history of the conquest of Ainu lands, including the dependency created by the trade and the role of disease, follows Brett L. Walker; the population figures for 1873 and the framework of assimilation

policy follow Richard Siddle; the Santan trade and the Qing tribute system on the Amur and Sakhalin follow the recent work of Tessa Morris-Suzuki and Sasaki Shirō. The archaeological sequence — Epi-Jōmon, Satsumon from about the seventh century, the Okhotsk culture from about the fifth, and the emergence of the Ainu cultural complex in the twelfth to thirteenth — is given as the standard account and is dated differently by different researchers and in different regions.

Contested figures are given as ranges. The Ainu population of Hokkaidō under the Tokugawa is put at twenty to thirty thousand for most of the period in the careful modern literature and as high as eighty thousand for the early eighteenth century in some general accounts; no reconciliation is attempted here. The exchange rate that helped precipitate Shakushain's war is given in the Japanese sources as a fall from two *to* of rice per hundred dried salmon to seven or eight *shō*, effected gradually through the 1650s and 1660s and often dated to 1665; the Ainu complaint about it is recorded in the *Tsugaru ittōshi*, a compilation of the neighbouring domain, and is known here only through its citation in later work. The Japanese dead in that war are usually given as about three hundred; Ainu casualties are not known. In 1789 more than seventy Japanese were killed, and thirty-seven or thirty-eight Ainu were held directly responsible, all but one of whom was beheaded — the two counts differ between sources and both are reported. The Kaitakushi's ten-year programme is given as ten million yen approved in 1871 against a national budget of about fifty million, with actual outlays over 1872–82 of some twenty million; the shizoku are given as approximately 1.9 million persons, and the reduction in government expenditure on commutation in 1876 as about thirty per cent.

Finally, the caution that governs the whole of this study. The Ainu had no writing. Almost every word quoted or summarised above about them before the twentieth century was set down by Japanese officials, explorers, merchants and painters — men

with interests, several of them the interests of the parties doing the taking — and the oral material was collected later, often by the institutions that had done the collecting of everything else. Where the Ainu record and the Japanese record differ, that will be said. Where only the Japanese record exists, that will be said too, and it is said now: it is the condition of nearly everything on this page.

MODULE 1

BOTH CULTIVATING AND GUARDING

Module 1 — the violence that installed the arrangement, 1868–1904: who fought, who paid, with what, against whom, and whether the price ever amortised

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The last battle of the civil war

The war that made Hokkaidō Japanese was fought between Japanese, and it was the last act of a quarrel that had nothing to do with the island.

When Edo fell in the summer of 1868 the shogunate's naval commander, Enomoto Takeaki, refused to hand over his fleet. He took eight steamers north, gathered what was left of the Tokugawa forces and a handful of French officers who had trained them, reduced the pro-imperial Matsumae domain in December, and on the twenty-seventh of January 1869 proclaimed at the star fort of Goryōkaku a republic — its officers chosen by ballot among the samurai present, the first election ever held in Japan, its constitution loosely modelled on the United States. Enomoto petitioned Kyoto to be allowed to develop Ezo and keep the traditions of his class unmolested. The petition was refused.

On the ninth of April seven thousand imperial troops landed against something in the order of three thousand defenders. The naval action in Hakodate bay ran from the fourth to the tenth of May and turned on the ironclad *Kōtetsu*, bought from the United

States, whose Gatling gun had already destroyed a boarding party at Miyako bay on the sixth. Hijikata Toshizō of the Shinsengumi was killed in the fighting round the fort. On the twenty-seventh of June, Enomoto surrendered to Kuroda Kiyotaka on terms under which he took sole responsibility for the rebellion; about a thousand of his men laid down their arms. The Hakodate campaign cost the imperial side some seven hundred and seventy killed and wounded and the republic something like seventeen hundred killed and wounded with thirteen hundred captured; the Boshin War as a whole engaged roughly a hundred and twenty thousand men on one side and a hundred and fifty thousand on the other, and the reported casualties run to eleven hundred and more imperial and forty-five hundred and more shogunate.

Two facts about that campaign govern this module. The first is that the Ainu appear in the order of battle on neither side. Every armed man on the island in the spring of 1869 was there because of a dispute among Japanese about who should govern Japan, and the ground they fought over changed hands without its indigenous population being a party to the transfer, an obstacle to it, or a consideration in it. The second is that the officer who accepted the surrender was appointed to administer the island. Kuroda Kiyotaka became vice-director and then director of the Colonisation Office established eleven days after the surrender, and he was still running Hokkaidō policy a decade later. The general and the governor were the same man, which is the ordinary arrangement in a conquest and is worth noticing here only because the population he had conquered and the population he now governed were not the same population.

Who paid, and with what

The government that took the island could not pay for the war it took it in.

The imperial coalition entered the Boshin War with no fiscal foundation whatever. At a meeting in the last days of January 1868 the accounting secretary Yuri Kimimasa proposed raising three million *ryō* in gold from wealthy houses and printing thirty million in notes against it; the issue was announced to the public on the nineteenth of April 1868, and the *dajōkansatsu* went out as non-convertible paper. Mitsui and other merchant houses supplied what they could. The conquest of Hokkaidō was thus financed by fiat currency issued by a government that did not yet control the country, and the reckoning for it hung over the treasury for years.

Against that, look at what was then committed to the island. The Colonisation Office was given ministerial rank. In November 1870 Kuroda, returning from an inspection of Sakhalin, reported that Japan would lose it inside three years unless the position changed and argued that only the development of Hokkaidō would provide the strength to face Russia at all. On that argument the Council of State approved, on the nineteenth of August 1871, a ten-year programme carrying ten million yen — set against a national budget of about fifty million, an annual commitment of some two per cent of everything the state spent, on one island, for a decade. Actual outlays over the ten years from 1872 came to roughly twenty million.

Now set that beside the item it was competing with. Roughly 1.9 million people were registered as *shizoku*, and the stipends they drew were the single largest charge on the new government's expenditure; when those stipends were finally commuted into bonds in the summer of 1876, the state's outgoings fell by about thirty per cent at a stroke. A government whose largest bill was a warrior class it could not afford, funding itself in paper it could not redeem, committed two per cent of its spending for ten years to a frontier island. The question the module has to answer — could he afford what he was doing — has an unambiguous answer, and the interesting

part is what the money was buying. It was not buying the suppression of a population. It was buying a coastline.

The garrison faced the wrong way

In November 1873 Kuroda put a proposal to the government. Shizoku of the north-east who were "strong enough to bear military service" should be moved to Hokkaidō with their whole households, there to do two things at once: 且耕シ且守ル — *both cultivating and guarding*. The Regulations for Farmer-Soldiers followed in 1874.

In May 1875 the first company went onto the ground at Kotoni, on the edge of Sapporo: 198 households, 965 people, drawn from Hokkaidō itself and from the three north-eastern prefectures of Aomori, Sakata and Miyagi, into two hundred soldier-cottages built to receive them. In 1876 a further 275 households went to Yamahana and elsewhere, and the two villages were formed into the First Battalion. Note where the men came from. Aomori, Sakata and Miyagi were the country of the northern alliance that had lost the Boshin War seven years before. The first settlers of Japan's first colony were the defeated of the civil war, planted on the island where that war had ended, by the man who had ended it.

What they were for was Russia, and the model was Russian. When the system was reorganised after the Colonisation Office was wound up — the farmer-soldiers passing to the Army Ministry in 1882, a new ordinance issued in 1885 — the head of the Tondenhei Bureau, Nagayama Takeshirō, went to the Russian Empire to study the Cossack host and came back with the plan for expansion he then executed. From 1885 recruitment was opened to the whole country, and a great many of the new men came from the western provinces: from Saga, from Hagi, from Satsuma, which is to say from precisely the districts that had produced the shizoku risings of 1874, 1876 and 1877.

And the one occasion on which the farmer-soldiers actually fought, they were shipped the length of the country to fight Japanese. Settlement was suspended in 1877 and the tondenhei went south to Kyūshū to help put down Saigō Takamori and the Satsuma Rebellion. A militia raised to hold the northern frontier against an empire spent its only campaign suppressing the class it had been created to employ.

Then the character of the thing changed, and the date is exact. In August 1890 the ordinance was substantially revised: heredity abolished, service fixed at twenty years in three tiers, the recruitment age brought down from eighteen-to-thirty-five to seventeen-to-twenty-five, artillery, cavalry and engineer detachments added — and eligibility opened to commoners. After 1890 the great majority of farmer-soldiers were commoners, and Japanese writing on the subject marks the change with a phrase of its own: the *shizoku tonden* became the *heimin tonden*. Settlement continued to 1899, and the whole system was abolished on the eighth of September 1904, superseded by the regular Seventh Division at Asahikawa. Across thirty years it planted 37 villages, 7,337 households and 39,911 people, and brought something on the order of 74,755 hectares into cultivation.

That last set of figures is the one to hold. Forty thousand people over thirty years was a skeleton, not a body; Hokkaidō's population passed a hundred thousand by 1873 and kept climbing. The farmer-soldiers were the frame the free migration hung on — and the free migration is a different subject, belonging to the module on who got what.

The labour was shipped in under sentence

There remained the problem that an island of forests, bogs and mountains cannot be opened by forty thousand militiamen, and that there was no native population large enough to make up the difference. Sixteen thousand Ainu on seventy-eight thousand

square kilometres is not a labour supply. So the state manufactured one at home.

The penal code drafted by Gustave Boissonade in 1880 provided for transportation to an island for life or for terms of twelve to fifteen years, and the prison code revised in 1881 directed that those sentenced to penal servitude or transportation should be held in *shūchikan* on Hokkaidō. Five were built there — Kabato, Sorachi, Kushiro, Abashiri, Tokachi — of which four stood inland, in country where no Japanese had yet settled. Transportation began in 1881. The convicts cleared land, farmed it, and went down the mines; they were expected, on release, to stay and settle, precisely because free migrants were not arriving fast enough.

Where the convicts came from is the part that matters. After the Satsuma Rebellion of 1877 some forty-three thousand people were arrested and about twenty-seven thousand sentenced to detention and forced labour. The risings of the Freedom and People's Rights Movement between 1882 and 1884 supplied a further stream. The prisons sorted them: Kabato took the gravest felons, Sorachi took mostly political prisoners, Kushiro took mostly cashiered soldiers, and Abashiri held around twelve hundred men in 1891, of whom six hundred and twenty-eight were serving sentences for robbery. At the Horonai colliery, whose coal ran the island's new railway, convicts cut the seams; when the official Okada visited in 1893 he found men who had lost limbs and discovered that more than fifty had been blinded.

Between 1886 and 1893 these prisons built the road. The Central Road ran east and west across the island, linking Sapporo to the penal towns, and the last stretch was driven from the far end: the Kushiro prison opened a branch at Abashiri in 1891 and about a thousand men cut a hundred and sixty-three kilometres from the coast to the Kitami pass in eight months. Japanese has two names for that stretch — the Prisoner's Road, and the Prisoner's Road of Death. The recorded

convict deaths from disease across the four prisons total 384, of which 188 were at Abashiri; Daniel Botsman puts the road's toll at 186 and the prison museum at Abashiri uses 211. Take it as somewhere between roughly 185 and 215 dead, against a working party of about a thousand, in under a year, on one section of one road.

Twenty-five farmer-soldier villages were then planted along the road, and with the interior open the settler population moved inland and multiplied through the 1890s. The convict gangs were the mechanism by which everything else in this study becomes possible, and the only record of that work made from underneath is an eight-metre handscroll painted at Sorachi some time between 1881 and 1889 by a convict whose name is not known, showing the Horonai workings and, in one passage, a fire with casualties among the men.

What was pointed at the Ainu

Nothing. That is the finding, and it should be stated flatly before it is explained.

There is no Ainu war in the Meiji record. The last rising had been in 1789, eighty years before the annexation and against a different Japanese government, and after it there was nothing on any comparable scale. No punitive column was sent against an Ainu district, no pass law was written for Ainu movement, no political police was raised to watch them, no Ainu combatant figures in the casualty returns of the conquest. If one comes to this case with the instruments this method usually reaches for — garrison placements, penal codes, records of punishment, counts of the dead — the return is close to null.

What happened instead was that the food was legislated away, and the sequence is worth setting out in order because each step is separately unremarkable and the sum is not.

First the herd was destroyed commercially. Between 1873 and 1878, government-sponsored hunting took more than half a

million Ezo deer; the venison was canned in the same plants and by the same methods as the salmon and shipped to markets in France and elsewhere. Then, in 1876, the Hokkaidō Deer Hunting Regulations fixed seasons, areas and permitted methods — with the Ainu specifically excepted. In 1877 the exception was withdrawn and the Ainu brought under the regulations, with a licence and a fee now required of anyone who hunted. In 1878 the taking of salmon was prohibited in the Sapporo area; in 1879 the Colonisation Office extended the prohibition to further rivers, on the stated ground that the salmon needed protection from over-harvesting; in 1883 Sapporo Prefecture closed the upper Tokachi. In 1889 hunting deer with poisoned arrows was forbidden, which removed at a stroke the aconite-tipped technology that was the whole art of the Ainu hunt. And then deer hunting, which had been left to the Ainu as subsistence, was prohibited outright.

Read that as arithmetic rather than as a list. The state took the deer for export, declared what was left a conservation problem, required a paid licence from households that held no money, banned the method, and banned the act. A subsistence household that wanted to go on hunting after 1877 had first to obtain coin, and there were two places on the island to obtain coin — a Japanese fishery or a Japanese farm. The compulsion had been moved out of the statute book and into the household's own reckoning, where no one reading Japanese law in Tokyo would find it. It is the mechanism of a hut tax, running on a game licence, and it did the work that in another colony would have needed a column of infantry.

Two removals

The coercion that can be counted was applied to the Ainu whom a treaty had made inconvenient.

By the Treaty of St Petersburg of the seventh of May 1875 Japan gave up its claim in Sakhalin for the whole Kuril chain,

and the Ainu of the exchanged territories were required to choose between the two sovereigns and remove to their sovereign's ground within three years. Under heavy pressure from the Colonisation Office, 841 Karafuto Ainu from 108 households made what was formally a free choice for the Japanese emperor and were carried across the La Pérouse strait to Sōya. In November 1876 they were moved a second time — inland, away from the sea they had lived on for generations, to Tsuishikari near Sapporo, onto ground Japanese settlers had not taken, and set to farm.

Then the accounting. In 1879 cholera reached a party of about a hundred and forty of them working a season away from the village: seventy fell ill and thirty died. In the thirteen months between January 1886 and February 1887, cholera and smallpox killed 319 people at Tsuishikari out of a population of about eight hundred — after the cholera deaths, something over thirty-seven per cent of those remaining died of smallpox. Two in five of the village, inside a year. Ueno Tadashi, the official who managed them, wrote that the Karafuto Ainu had yearned to come under Japan's benign rule and had asked to return to Japanese territory, and cast himself as an affectionate mother to whom they were as babies. What the survivors did is the better evidence. About 203 of them — roughly half of those still alive — crossed back illegally over the strait to Sakhalin, which by then was a Russian penal colony, and Tsuishikari was left empty. Given a choice between the village in which they had been protected and a prison island belonging to a foreign empire, half the survivors chose the prison island.

In 1884 the same instrument was used at the other end of the chain: ninety-seven Ainu were moved off Shumshu, at the northern tip of the Kurils, to Shikotan in the south.

Neither removal required a battle. Both were carried out by an office, under a treaty, with boats.

Reading the floor against the framework

The floor was real, it was expensive, and it was never pointed at the conquered. Three instruments of organised violence appear in this conquest — the army that took the island in 1869, the farmer-soldier militia that held it from 1875, and the convict gangs that opened it from 1881 — and every one of them was composed of Japanese and aimed at other Japanese or at Russia. The framework expects a settler order to carry a permanently high coercion cost, because in a settler order the coercive apparatus is not the guard on the labour supply but the labour supply itself. Hokkaidō does not behave that way, and the reason is arithmetical rather than moral: there were not enough Ainu to be a labour supply, so no funnel had to be built and none had to be manned. But the cost did not therefore vanish. **It moved.** Where the native population is too small to serve as the labour funnel, a settler order does not become cheap; it manufactures its labour in the metropole and applies the coercion there — the convict under sentence, and later the contracted seasonal worker in the barrack hut. That coercion is real, it is lethal at a measurable rate, and it will never appear in any tally of colonial violence, because the people it fell on were the conqueror's own countrymen. Any accounting of this conquest that counts only what was done to Ainu will understate the floor by an order of magnitude and will locate it in the wrong country.

A game law is a weapon and belongs in the count. Between 1876 and roughly 1890, a hunting and fishing people was separated from its subsistence by a five-step legislative sequence in which no shot was fired and no one was arrested for anything but poaching. This method's instruments — garrisons, penal codes, punishment records, casualty returns — are built to register commissions, and run over Hokkaidō they return almost nothing, which is exactly the failure mode the grim accounting has to correct for. The refinement is specific: **where the**

conquered live directly off a resource the conqueror can regulate, regulation of that resource is the cheapest item on the floor's whole menu, and it is cheapest precisely because it generates no martyrs, no casualties and no documents that a metropolitan critic would recognise as evidence. The deer regulations of 1876 and 1877 and the salmon prohibitions of 1878 to 1883 did what a punitive campaign would have had to do, and they did it under the signature of a conservation officer.

The export hypothesis holds, and then expires on a datable morning. That a settler colony is often a solution to a problem in the metropole rather than an opportunity in the periphery is confirmed here about as cleanly as a case can confirm anything: the first farmer-soldiers were shizoku of the domains that lost the civil war, the second wave were shizoku of the provinces that produced the rebellions of 1874, 1876 and 1877, and the men who fought Saigō and lost went to the same island in irons to build its roads. But the mechanism has a natural term, because a surplus is a stock and not a flow. In August 1890 the ordinance was rewritten to admit commoners, and thereafter commoners were the overwhelming majority. **An export solution runs until the surplus it exists to discharge is gone, after which the identical institution continues under the identical name doing something else** — in this case ordinary subsidised agricultural settlement, which is what most people mean when they say tondenhei and which is not what the tondenhei were for. A study that reads the farmer-soldier of 1899 back onto the farmer-soldier of 1875 will misdescribe both.

And the quarrel that laid this floor was settled, at the top, by reabsorption. Enomoto Takeaki raised an armed rebellion against the imperial government, proclaimed a separate state on this island and fought a six-month campaign against the national army. He was imprisoned, released in 1872 — Kuroda, who had taken his surrender, shaved his head to

petition for his life — and went on to hold a series of ministries in the government he had fought. Meanwhile twenty-seven thousand of the men who followed Saigō eight years later were sentenced to forced labour, and a share of them died of malnutrition and disease building a road across a country they had never seen. One rebellion, two sanctions: a cabinet career at the top of it and an unnumbered grave on the Kitami pass at the bottom, both administered by the same men within the same decade. The coordination module will need that, and it is worth marking now where it puts the order's real boundary. It did not run between Japanese and Ainu. It ran between men who could be brought back inside and men who could be spent.

❧

A note on sources. Kuroda Kiyotaka's phrase from his proposal of the eleventh month of Meiji 6 (1873) — 且耕シ且守ル, both cultivating and guarding, with the accompanying specification of north-eastern shizoku "strong enough to bear military service" — is quoted exactly in the original from its reproduction in the standard Japanese reference literature on the tondenhei; the English is this study's. It is the only exact quotation in this module. Ueno Tadashi's characterisation of the Karafuto Ainu as having yearned for benign rule, and his image of himself as an affectionate mother, are given here in paraphrase from the English rendering in the recent scholarship; the original has not been consulted and the wording should not be treated as his. The same caution stated in the landscape applies throughout: much of this record exists only in Japanese, and where it has been reached through translation or through English-language scholarship, that is the case and is said.

Modern scholarship is paraphrased and credited. The account of Hokkaidō's penal system, the five *shūchikan*, the composition of their prison populations, the Central Road and the convict death tolls follows Daniel Botsman and the recent work of Pia Jolliffe and of Elena Solis on the road's commemoration, together with the survey of Hokkaidō's transformation from penal colony to homeland territory in the *International Review of Social History*. The Tsuishikari material — the removal of 841 people from 108 households, the 1879 cholera among the seasonal fishing party, the mortality of 1886–7 and the return of survivors

to Sakhalin — follows the recent article on Japanese colonial policy as a social determinant of Ainu health in *Social History of Medicine*, which also sets out the historiographical argument that has been running against the older "no immunity" explanation of Ainu depopulation; this study takes no position between them here and will have to at the accounting. The deer cull figure and the sequence of fishing prohibitions follow the recent environmental history of salmon in the north Pacific; the schedule of Meiji regulations affecting the Ainu follows the chronology published by the Foundation for Ainu Culture. The tondenhei figures follow the Japanese municipal and prefectural histories and the standard reference entries, which are in substantial agreement with one another.

Contested and approximate figures are given as such. The strengths at Hakodate are conventionally given as seven thousand imperial against three thousand or somewhat more, and the campaign's casualties as about 770 imperial killed and wounded against about 1,700 killed and wounded and 1,300 captured; these are the standard figures and are not firm. Boshin War totals of roughly 120,000 against 150,000 engaged, with 1,125 or more and 4,550 or more casualties respectively, are likewise conventional. Convict deaths on the Abashiri section of the Central Road are given variously as 186, as 211, and as part of a recorded total of 384 disease deaths across four prisons of which 188 were at Abashiri; the text gives a range and names the disagreement. The tondenhei totals of 37 villages, 7,337 households, 39,911 persons and about 74,755 hectares are those published by Japanese official and municipal sources and recur consistently, though the household and personnel counts vary by a few score between compilations, and the first Kotoni contingent is given as 198 households in some sources and 193 in others. The figure of about 27,000 sentenced to detention and forced labour after the Satsuma Rebellion, from about 43,000 arrests, is as reported in the recent literature and has not been checked against the judicial returns. A licence fee is repeatedly said to have accompanied the 1877 extension of the deer regulations to the Ainu, and a specific sum is sometimes quoted; no reliable source for the sum has been

found and none is stated here, though the requirement of a paid licence itself is well attested and is what the argument rests on.

Finally, the asymmetry of the record in this module is the reverse of the landscape's and should be named. The conquest of 1869, the finances of the new government, the farmer-soldier system and the prison road are all documented in detail by the state that carried them out, in ledgers, ordinances and official histories that survive. What the Ainu made of any of it survives almost not at all. The one document in this module written from underneath the floor was painted, without a signature, by a convict.

MODULE 2

FIVE HUNDRED CHŌ, AND FIVE

Module 2 — the settlement, 1869–1899: what the instruments found, what they converted it into, who got what under which clause, and where the drafting came from

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

What was there to divide

Before an instrument can divide land it has to find something divisible, and on this island there was nothing of the kind.

An Ainu household did not own a farm. It lived in a *kotan* on a river, and beyond the kotan lay the *iwor* — the common ground of forest and stream from which the households of a valley took wood, deer, fish and plants, shared with neighbouring kotan by arrangement and by the courtesy of shared ceremony. There was no boundary, no register, no rent, no sale, no instrument, no word for a transferable estate. A man's access to a stretch of river came from who he was and where his people were: it was a relation among persons, and among persons and the *kamuy* whose gift the salmon were, and it was expressed in the use of soil rather than in a title to it. Nobody could sell it because there was nothing to hand over; selling your family's reach of river would have been selling your family's place on the river.

There was also, and this matters for what follows, no chief who could sign for anyone else. Authority ran to the senior man of a house and the respected elder of a village, and a few kotan

on one river system might acknowledge one man for ceremonial purposes. Nothing pooled higher. There was no apex, no council, no delegation, and no one whose mark would bind a district.

So the conqueror arriving with paper faced two problems at once. What he wanted to take was not a thing, and there was nobody to take it from in a manner a lawyer would recognise. The instruments that follow solve both problems in a single stroke, and it is worth watching how briefly it is done.

All land whatsoever

In the ninth month of Meiji 5 — 1872 — the Colonisation Office promulgated two regulations, the Hokkaidō Land Sale and Lease Regulations and the Hokkaidō Land Premises Regulations. The first article of the first of them is the whole settlement, and it is one sentence:

> 一条　原野山林等一切ノ土地官属及従前拝借ノ分目下私有タラシムル地ヲ除ノ外都テ売下地券ヲ渡永ク私有地ニ申付ル事

Article 1. All land whatsoever — moor, forest and the like — belongs to the state; excepting the portions hitherto held on loan and the land now made private, the whole shall be sold off, a land certificate issued, and it shall be designated private land in perpetuity.

Read the grammar before the content. 官属 — *belongs to the state* — is not a provision. It is a statement of fact, in the indicative, of the kind a clerk writes when he is recording a condition rather than creating one. Nothing in the sentence proposes to take anything; the sentence reports that the land is already the government's and then gets on with the business of selling it. The taking has been performed in a subordinate clause, in the voice of a man correcting a filing error, and this is the characteristic modern move: a decree presents itself as a decision, a law presents itself as a discovery.

The conversion the sentence performs is total. What went in was a relation among persons; what comes out is a *chiken*, a land certificate — a piece of paper, numbered, registered, taxable, mortgageable and alienable, that a stranger can buy from another stranger without either of them setting foot on the ground. Karl Polanyi's name for that operation is the fictitious commodity, and on this island it was accomplished in September 1872 by an office with fewer than three years of history.

The tidying followed. In 1877 the Hokkaidō Land Certificate Issuance Ordinance folded the remaining unallocated ground into 官有地, state land proper, with the consequence that an Ainu household could not privately hold even the plot its house stood on. In 1886 the Hokkaidō Land Disposal Regulations lifted the ceiling: the 1872 rules had capped a disposal at a hundred thousand *tsubo*, and the new rules provided expressly for disposals above that figure to large private undertakings. In 1889 two million hectares across the island were set aside as Imperial Household land, and fifty thousand hectares of undeveloped ground were disposed of to the peerage association farms — the Kazoku Association Uryū Farm, founded by Duke Sanjō Sanetomi and the Hachisuka of Tokushima among others, took its grant in that year, and grew in time to some four thousand hectares under cultivation.

Not put to competition

The instrument that settled the island in bulk is the Hokkaidō Undeveloped State Land Disposal Act, Law No. 26 of the thirtieth of March 1897, signed by Matsukata Masayoshi as prime minister and by the Minister of Colonial Affairs, Viscount Takashima Tomonosuke. Its first three articles run:

> 第一条　北海道国有未開地ノ売払付与交換及貸付ノ処分ハ此ノ法律ニ依ル 第二条　前条ノ売払及貸付ハ此ノ法律ニ於テ特ニ規定スル場合ノ外競争ニ付セス 第三条　開墾牧畜若ハ植樹等ニ供セムトスル土

> 地ハ無償ニテ貸付シ全部成功ノ後無償ニテ付与スヘシ　前項ノ貸付地面積ノ制限ハ勅令ヲ以テ之ヲ定ム

Article 1. The disposal of Hokkaidō undeveloped state land by sale, grant, exchange and lease shall be under this Act. Article 2. The sales and leases under the preceding article shall not be put to competition, save in cases specially provided for in this Act. Article 3. Land to be devoted to reclamation, stock-raising or tree-planting shall be leased without charge, and after full success shall be granted without charge. The limit on the area of such leases shall be fixed by imperial ordinance.

Three clauses, three decisions, and each is worth its own sentence.

Shall not be put to competition. The island would not be auctioned. Who received a lease, and how much, was to be settled by administrative discretion in the office of the Hokkaidō governor — which is to say that the largest transfer of land in modern Japanese history was conducted without a market and without a price at which anyone could be outbid.

After full success shall be granted without charge. This is a homestead. The applicant pays nothing to enter, pays nothing to hold, and pays nothing to receive the freehold; his whole consideration is 成功 — success, meaning that he has cleared and cropped or planted or stocked the ground within the term. He owes no rent, no service, no fee, no loyalty and no armed men. What the state buys with an entire island is the conversion of that island into improved and taxable property, and it buys it by giving the island away.

The limit shall be fixed by imperial ordinance. The single number on which the whole distribution turned was removed from the statute and placed in a decree the Diet did not vote. The ordinance set it, per person, at five hundred *chō* for reclamation, six hundred and sixty-six for tree-planting, and eight hundred and thirty-three for pasture. Five hundred chō is a little under five hundred hectares — some twelve hundred

acres — free, to one applicant, on proof of improvement, from a body that had no obligation to advertise. More than a million hectares went out under this Act. The inspection of "success" was, by the account of the Japanese agricultural literature, loose; a great deal was taken speculatively and left unbroken; and the result was the absentee great-estate system that made Hokkaidō, by the end of the Meiji era, the most heavily tenanted farming region in Japan and the site of some of its bitterest tenancy disputes.

The article that was never written

Now the question the method insists on: where is the clause that says who is inside?

It is not there. The 1897 Act contains no racial term, no ethnic term, no exclusion and no qualification of persons at all. It speaks of 者 — a person, anyone. And the Ainu had been made persons of the relevant kind twenty-six years earlier: the Family Register Law of 1871 entered them in the registers as 平民, commoners, subjects of the Emperor like any other, and issued them surnames, which they had not previously had. At Fushko Kotan a man named Ikorikina was entered as Furukawa Igo — *Furukawa*, old river, because the old Sapporo river ran there, and *Igo* for the first syllables of the name he had. Formally, from 1871, Furukawa Igo was a Japanese commoner with the same standing before the land laws as a farmer from Aomori. Formally, in 1897, he could have applied for five hundred chō.

This is the shape the most durable exclusions take. The order did not write a bar; it wrote a universal right and left the qualifying conditions to the world. To take up five hundred chō a man needed to read a notice in Japanese, reach a government office, complete a form, command capital, buy a plough and a draught animal, feed a household for the several years before the first crop, and survive an inspection at the end. A household that had been forbidden to take salmon from its river in 1878

and deer from its hills by 1890, that had been moved twice by administrative order, and whose language had no written form, satisfied none of those conditions, and no official had to say so. Where you find a right that everyone holds and almost no one can exercise, you have found the machine — and the machine here is quieter than usual, because it never needed a discriminatory clause to be drafted, debated or defended.

The scholarship reports that in practice Ainu were excluded from allocations under the 1897 Act. Nothing in the text before me effects that exclusion, and I have not seen the implementing ordinance; whether the bar was written into the regulations or produced by the conditions is a question this study leaves open and flags.

Fifteen thousand tsubo

Two years later the Diet passed a separate statute for the people the first one had passed over. The Hokkaidō Former Aborigines Protection Act, Law No. 27 of March 1899, is thirteen articles long and four of them decide everything.

> 第一条　北海道旧土人にして農業に従事する者又は従事せむと欲する者には、一戸に付土地一万五千坪以内を限り無償下付することを得

Article 1. To Hokkaidō former aborigines who engage in agriculture, or who wish to engage in it, land not exceeding fifteen thousand tsubo per household may be granted without charge.

Fifteen thousand tsubo is five *chō*. The settler ceiling, fixed by imperial ordinance two years earlier, was five hundred. The same island, the same legislature, the same technique of free grant on proof of improvement, two years apart: five hundred chō, and five.

Article 2 disposes of what the five chō actually were.

> 第二条　前条に依り下付したる土地の所有権は左の制限に従ふべきものとす 一、相続に因るの外譲渡することを得ず 二、質権・抵当権・地上権又は永小作権を設定することを得ず 三、北海道長官の許可を得るに非ざれば地役権又は小作権を設定することを得ず 四、留置権・先取特権の目的となることなし

Article 2. Ownership of land granted under the preceding article shall be subject to the following restrictions. First, it may not be transferred otherwise than by inheritance. Second, no pledge, mortgage, superficies or perpetual tenancy may be created upon it. Third, no servitude or tenancy may be created without the permission of the Hokkaidō governor. Fourth, it shall not be the object of a lien or a preferential right.

The article is headed 所有権 — ownership — and then removes, one by one, every power that distinguishes ownership from occupancy. The settler's five hundred chō was a capital asset: it could be sold, mortgaged, borrowed against, leased out, and used to raise the money that makes a farm work. The Ainu household's five chō could do none of those things. It could be inherited and it could be worked, and that was the whole of it. What the Act granted, in the language of ownership, was a use right that could not be turned into money — which mattered enormously, because a household with no capital, no implements and no experience of ploughing needed exactly the thing the Act forbade it to do with the only asset it had.

And Article 3 set a clock on it.

> 第三条　第一条に依り下付したる土地にして其の下付の年より起算し十五箇年を経るも尚開墾せざる部分は之を没収す

Article 3. Of land granted under Article 1, any part still unreclaimed after fifteen years from the year of grant shall be confiscated.

The settler's obligation to succeed was inspected loosely and forgiven often. The Ainu grantee's was a forfeiture written into the statute. By the land reform of 1946, on the standard

account, something like fifteen per cent of the land granted under this Act was still in Ainu hands.

Then Article 8, which is the clause a reader is likeliest to walk past.

> 第八条　第四条乃至第七条に要する費用は北海道旧土人共有財産の収益を以て之に充つ　若し不足あるときは国庫より之を支出す

Article 8. The expenses required by Articles 4 to 7 shall be met from the income of the Hokkaidō former aborigines' common property. If it be insufficient, they shall be paid from the treasury.

Articles 4 to 7 are the protective heart of the Protection Act: farm tools and seed for the poor, the price of medicine for the sick who cannot pay, relief and burial money for those unable to support themselves, school fees for poor children. Article 8 provides that all of it comes out of the Ainu's own common property first, and the treasury only if that runs short. Article 10 gives the governor of Hokkaidō the administration of that common property; Article 11 permits him to dispose of it and, where he judges it necessary, to refuse its division among those entitled. And Article 12 authorises police ordinances for the protection of former aborigines, carrying fines of two to twenty-five yen or imprisonment of eleven to twenty-five days.

Set the four together and the instrument is legible. It grants a hundredth of what it grants a settler; forbids the grantee to raise money on it; confiscates it if unimproved; funds the charity attached to it out of the grantee's own money, which it then administers on his behalf and may decline to divide; and attaches a penal schedule. It does all of this under the word 保護 — protection — and one may note without any charge of hypocrisy that the men who drafted it had been petitioned for it. A bill for the protection of the Hokkaidō natives had been introduced in the Fifth Imperial Diet in 1893 by the member Katō Masanosuke, and Ainu had sent representatives to the Diet to press for its passage. The thing they were asking for and the

thing they got are not the same thing, and both facts belong on the page.

Where the drafting came from

Which raises the question this module was asked to settle. Is this an American law, a European law, or a Japanese one? The answer is that the three parts of it have three different provenances, and separating them is more useful than deciding.

The fiction is Japanese and it was not borrowed. The declaration that all land belongs to the state was issued in the ninth month of Meiji 5, some ten months before the Land Tax Reform Act, and it belongs to the same domestic programme by which the new government converted every landholding in Japan into a registered, alienable, taxable title with a certificate attached. Hokkaidō received the operation first and in its most absolute form, but the operation was being performed on Japanese peasants at the same time, by the same ministry, for the same fiscal reason. No adviser was needed to suggest it. A government that has just abolished the domains and needs a revenue base does not have to be told to make land into property.

The warrant is Lockean and it was in the air rather than in a despatch. The claim that improvement confers title, and therefore that unimproved ground is unowned, is what allows a country visibly full of people to be described as undeveloped land — 未開地 — in the title of a statute. The Kaitakushi's own proclamation of 1869 had asserted that the island had lain for several hundred years in a state of undisturbed nature with only fishing conducted upon it, which is a terra nullius claim made in the state's own voice before any American had been hired. Meiji expansionist writing of the period reaches for the same logic that European writing reached for, and the recent scholarship on Japanese settler colonialism argues, persuasively, that the

Malthusian and Lockean apparatus behind it was an Anglo-American import already circulating in translation.

The machinery is American, and here the transmission is documented and datable. In 1871 Kuroda Kiyotaka hired Horace Capron, President Grant's Commissioner of Agriculture, at ten thousand dollars a year and a house — a man who had earlier been assigned by President Fillmore to relocate Native American tribes after the Mexican war, and who recorded, surveying Hokkaidō, that he found close similarities between the Ainu and the Native Americans he had moved. Kuroda asked Capron for a history of the laws and regulations under which the British had governed settlers in Australia and India; Capron replied by correcting the question, telling him that India had never in the proper sense of the word been colonised. Capron, and William S. Clark after him, brought with them the American statutes of 1862 — the Homestead Act and the Morrill land-grant college act — and the scholarship holds that both informed how the two of them proposed to people Hokkaidō. The Sapporo Agricultural College founded in 1875 is a Morrill college transplanted. The free lease that converts to a free freehold on proof of improvement, in Article 3 of the 1897 Act, is a homestead entry. And the survey the island was settled on — a base line, a perpendicular, grid roads at three hundred *ken*, medium blocks three hundred ken square, subdivided into lots of a hundred by a hundred and fifty ken — is a rectangular survey laid across the terrain without regard to it, which is the American township and section and not the Japanese village.

And the allotment statute is American in a narrower and better-evidenced sense. The standard Japanese reference literature states plainly that the 1899 Act was strongly influenced by the Dawes Act of 1887, and the English-language literature says the same. The resemblance is close: allotment in severalty to households, a restriction on alienation running for a fixed period, the whole framed as protection, the express purpose being to convert a hunting people into farmers, and the

practical effect being that the remainder became available to settlers.

But note two divergences, because they are where the case stops being an imitation and starts being a case. The Dawes Act traded allotment for citizenship — take the land in severalty, hold it in trust for twenty-five years, and receive a fee patent and the citizenship of the United States. The Hokkaidō Act had nothing to trade, because Japan had made the Ainu subjects in 1871 for a reason that had nothing whatever to do with the Ainu: it needed the inhabitants of the island to be Japanese in order to hold the island against Russia under a law of nations that read inhabitants as title. The bargain the American statute offered had already been imposed, unilaterally, a generation earlier. And where Dawes suspended alienability for a term and then released it, the Japanese Act set no term for the restriction at all and added a confiscation clause that Dawes did not have. The borrowed instrument was made both more permanent and sharper in the borrowing.

So the answer to the question is layered. **The position was Japanese, the warrant was Anglo-American doctrine, the machinery was American statute, and the choices at each fork were made by men in Tokyo for reasons of their own.** The evidence that this is convergence rather than imitation is precisely the correspondence in which Kuroda asks Capron which British colonial regulations apply and Capron replies that Kuroda has asked about the wrong empire. A man does not write to Washington for the Australian land regulations if he is copying by instinct. He writes because he has a problem, has worked out that others have faced it, and wants their working — and he then declines the parts that do not fit his position and hardens the parts that do.

Reading the settlement against the framework

The fiction is vacancy, and vacancy is the only one of the three that needs no counterparty. Nothing here was dressed as a confirmation of existing possession, as at Buganda, and nothing was performed by partitioning an acknowledged collective title, as in Algeria; the ground was simply declared to be the state's, in the indicative, and sold. That classification is the expected one for a conqueror who wants the land and has settlers for it. But the case adds something the corpus has not yet stated plainly. **Recognition needs a chief to recognise and divisibility needs a collective to divide; both require a party on the other side of the paper and therefore a negotiation, a document and a signature — and it is in those documents that the clause deciding which language prevails does its work.** Vacancy requires nobody. There is no Hokkaidō agreement, no treaty with the Ainu, no signatures, no bilingual text, no clause providing which version binds, and no counterparty of any kind at any point between 1869 and 1899. That absence is not an oversight in the record; it is the fiction working exactly as designed, and it is why vacancy is the cheapest of the three and why it appears wherever the ground rather than the surplus is the object. **The measure of a settlement's fiction is not only what it claims but how many people had to be dealt with to make the claim, and vacancy's number is zero.**

The consideration was improvement, and there is one exception that proves what the rest of the case is. In every general instrument here the grantee owes nothing but success: no rent, no price, no service, and above all no armed men. That is the modern colonial form — a grant that buys compliance and presence and leaves the recipient a dependant with a title rather than a rival with a retinue. The exception is the farmer-soldier settlement of 1875, which did buy armed service, at a

stated obligation of drill, guard duty and mobilisation, and it is the only medieval-form grant on the island. It was also the only one confined to the ex-warrior class, and it was rewritten out of that character in 1890. **Where a settler state still has an armed class to place, it will pay in land for service; when the class is gone, the identical state pays in land for nothing but clearance.** The consideration tracks the metropole's problem and not the colony's.

A universal right was the exclusion. The 1897 Act names nobody and bars nobody. It offers five hundred chō to any subject of the Emperor, and the Ainu had been subjects since 1871 — a status conferred on them for reasons of international title and never asked for. The bar that mattered was not written into the Act; it was assembled out of the fishing prohibitions, the hunting prohibitions, the relocations, the illiteracy, and the absence of capital, all of which were the work of the same government under other headings. Then, two years later, a second Act offered the same population a hundredth of the acreage on terms that forbade them to borrow against it and confiscated it if unbroken. This is the pattern the framework predicts for the most durable exclusions, and Hokkaidō gives it in an unusually clean form: **the order did not have to deny the Ainu anything, because it had already removed, one statute at a time and each for its own stated reason, every condition under which the right could have been used.**

And the protective statute was funded by the protected. Articles 8, 10 and 11 of the 1899 Act take the Ainu common property, place its administration in the governor's hands, charge the whole apparatus of relief against its income before any call on the treasury, and permit the governor to refuse to divide it among those entitled. The framework has treated extraction and settlement as separate legs worked by one instrument at two levels of the hierarchy. This is a third position and it belongs in the card: **an instrument can perform the settlement, the extraction and the robe simultaneously, in**

the same statute, by granting a dispossessed population a fraction of what it took and then charging the cost of the grant to the population's own remaining assets, which the granting authority also administers. It appears in the record as welfare legislation, it was petitioned for by its beneficiaries, and it is called protection.

❧

A note on sources. Article 1 of the Hokkaidō Land Sale and Lease Regulations of the ninth month of Meiji 5 is quoted exactly in the original from the Kaitakushi's own collection of promulgated orders as reproduced in the National Diet Library's digital collection; the English is this study's own. Articles 1 to 3 of the Hokkaidō Undeveloped State Land Disposal Act, Law No. 26 of 30 March 1897, are quoted exactly from the signed original held by the National Archives of Japan, as are the names of the countersigning ministers; the English is this study's. Articles 1, 2, 3 and 8 of the Hokkaidō Former Aborigines Protection Act, Law No. 27 of 1899, are quoted exactly from the text as published in the standard Japanese legal databases and on Wikisource, checked against one another; the English is this study's. All four instruments are public-domain Japanese government documents. Japanese dates before the calendar reform of 1873 are given by era, month and day as they stand in the sources.

The area limits set by imperial ordinance under the 1897 Act — five hundred *chō* for reclamation, six hundred and sixty-six for tree-planting, eight hundred and thirty-three for pasture — are taken from the Japanese agricultural and rural-engineering literature on the settlement of Hokkaidō, which also supplies the figure of over a million hectares disposed of under the Act, the observation that the success inspections were lax, and the consequence that Hokkaidō became the country's most heavily tenanted farming region by the end of Meiji; the ordinance itself has not been consulted and the figures should be collated against it. The 1889 allocations — two million hectares to the Imperial Household and fifty thousand to the peerage association farms, including the Uryū farm of Sanjō and Hachisuka — come from the same source. The ceiling of one hundred thousand tsubo under the 1872 rules, and its raising by the Land Disposal Regulations of 1886, and the specification of the colonisation

survey grid, are from the Hokkaidō prefectural government's own published history of its settlement policy.

Modern scholarship is paraphrased and credited. The renaming of Ikorikina of Fushko Kotan as Furukawa Igo under the Family Register Law of 1871 is from the Japanese decolonisation-studies literature on the prohibition of Ainu custom. The reading of the 1899 Act as strongly influenced by the Dawes Act of 1887 is the settled view of the standard Japanese reference literature (Yamakawa's *Nihonshi shōjiten*) and is echoed in the English-language literature; it is reported here as those sources give it, and this study has not examined the drafting papers of the 1899 Act and cannot say by what route the American statute reached the drafters. The claim that the Homestead Act and the Morrill Act informed Capron's and Clark's proposals for peopling Hokkaidō is from the published work on Japanese colonial control in international terms. The account of Capron's hiring, his earlier assignment under Fillmore, his comparison of the Ainu with Native Americans, and his exchange with Kuroda over the British settler regulations for Australia and India follows the recent scholarship on de-indigenisation and terra nullius in Hokkaidō; the Kuroda–Capron correspondence is quoted nowhere in this module and is described only in substance, because this study has not seen the Capron papers and the wording is at one remove. The Lockean and Malthusian framing of Meiji expansionist writing follows the recent Cambridge study of Japanese settler colonialism. The estimate that roughly fifteen per cent of land granted under the 1899 Act remained in Ainu hands at the 1946 land reform is as reported in the secondary literature, deriving from Kayano Shigeru, and is not independently verified.

One open question is flagged rather than resolved. Several accounts state that Ainu were excluded from allocations under the 1897 Act. The text of the Act consulted for this module contains no such exclusion and confers its rights on persons generally; whether the bar was effected by the implementing

imperial ordinance, by administrative practice, or by the conditions described in the module is not determined here, and the implementing ordinance has not been read.

Finally, the same asymmetry stands as in the preceding modules. Every instrument quoted above was drafted, debated, promulgated and preserved by one party. No Ainu document of title exists to set beside them, because the entire operation described here consisted of establishing that no such document could exist.

MODULE 3

A NATIONAL DISGRACE TO LOOK ON

Module 3 — the legitimating story, 1869–1899: how many audiences there were, which of them were argued with, and what the order was willing to pay to be seen behaving well

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

What the Emperor was told

The first thing worth knowing about the story Japan told itself about this island is that the founding document does not contain it.

An imperial inquiry of 1869, put to the new government's highest officers before the island was renamed, sets out the case for taking Ezo in hand. It calls it the northern gate of the imperial nation, notes that it lies close to Santan and Manchuria and that its boundaries are only roughly settled, and observes that in the north there is country where locals and foreigners live intermingled. Then it says the thing a legitimating story is not supposed to say. The Japanese administrators on the island, it records, have until now enslaved the natives and been cruel in the extreme; the foreigners have been exceedingly amiable; and the consequence is that the natives are sometimes hostile to Japanese and hold the foreigners in regard.

Read what that is. It is not a civilising mission, not a claim of right, not a doctrine of any kind. It is a counter-intelligence memorandum. The Ainu might go over to the Russians, and they

might go over because of what Japanese had done to them, and therefore the island must be taken properly in hand. The document concedes the cruelty in the same breath as it proposes the remedy, and it concedes it because the audience for the document is a cabinet, and a cabinet needs the true reason.

Everything that comes afterwards is addressed elsewhere.

Three gods in a box

Two weeks after the decree that renamed Ezo, on the first day of the ninth month of Meiji 2, a rite was performed in Tokyo at the sanctuary of the Department of Divinities, on the ground that is now the plaza before the Imperial Palace. It was called the Rite of Enshrinement for Hokkaidō, and by it three deities were installed as the tutelary gods of the island: Ōkunitama-no-kami, the land-spirit of the country; Ōnamuchi-no-kami, who by another name made the land; and Sukunahikona-no-kami, his small companion, god of medicine and of the work of building. They are known thereafter as the 開拓三神, the three deities of colonisation.

Then they were carried north. The spirit-vessels went from Tokyo to Hakodate in the charge of the Colonisation Office's director, Higashikuze Michitomi, and from Hakodate to Sapporo in the charge of the commissioner Shima Yoshitake, who is said to have borne them himself through snow and bad road. They were lodged in a temporary shrine in 1870, given the name Sapporo Shrine in 1871, and installed that September in a permanent hall at Maruyama, which in time was ranked among the highest grades of state shrine. Within its precincts a second shrine enshrines thirty-seven men who did meritorious service in the colonisation of the island. And the great gate of the main shrine does not face south, as convention would have it. It faces north-east, toward the empire that was then pressing into Sakhalin and the Kurils.

There is a great deal in that sequence and none of it needs a framework term.

The island's own guardian deities were made in the capital, by ceremony, in a fortnight, and shipped. Whatever else the Meiji state believed about the sacred, it did not believe that the gods of a place were already in it, or if it did, it did not propose to deal with them: the country the three kami were installed to protect was full of *kamuy*, every river and bear and hearth-fire of it, and not one of them was acknowledged, adopted, honoured under a Japanese name, or so much as mentioned. This is worth pausing on, because it is the road not taken. When the Ndebele conquered the highveld they sent to the Mwari shrines for rain like everyone else; when Rome took a city it invited the city's gods out and gave them temples. Redirecting the sacred authority the conquered already trust is the cheapest legitimation there is, precisely because somebody else has done the work of earning the trust. Japan did not do it here. It imported its own, set them down, and pointed the gate at Russia.

Which tells you, before any other evidence is examined, who the shrine was for. A settler arriving at Otaru from Miyagi in 1876 stepped off a boat into a country whose tutelary gods were the ones he had grown up under, formally installed, imperially sanctioned, with a shrine to visit and a festival to keep. An Ainu at Biratori was offered nothing, because nothing was wanted from him.

What the settlers were told

Around the shrine the settler story assembled itself out of familiar material, and its keynote is the single word 開拓 — *kaitaku*, opening, reclamation, the breaking of ground that has not been broken.

It was a word with an argument inside it. Land that has not been opened is, by the logic the word carries, waiting to be

opened, and the people already on it are not using it in the sense the word recognises. The Colonisation Office's proclamation of 1869 had said as much directly, asserting that the island had lain for several hundred years in a state of undisturbed nature with only fishing conducted upon it. The statute of 1897 that disposed of a million hectares put the same proposition in its title: 未開地, undeveloped land. When the government's minister of the left, Sanjō Sanetomi, wrote to the Colonisation Office in September 1869 with the instructions on which it was to proceed, he told it to follow the way of caretakers, to spread civilisation, to deepen moral custom — and told the emigrants to cooperate with the natives, be productive, and devote themselves to the civilising work.

To that the settlers added what settlers add. Sapporo was laid out on a grid. The Sapporo Agricultural College opened in 1875 under William Smith Clark of Massachusetts, who spent eight months in Japan teaching farming suited to the climate, converting his students to Christianity, and — on the account of the scholarship — trying to shape the countryside into something like a New England farming township. His parting words to his students, whatever he actually said, entered Japanese memory as *Boys, be ambitious*, and are on a plinth in Sapporo today. Among the young men in his lecture room were Nitobe Inazō and Uchimura Kanzō, who would spend their adult lives explaining Japan to the West.

And the metropolitan public was told a version fitted to its own anxieties. The journalism of the settlement period argued that Hokkaidō was no longer the sterile northern waste of the old Confucian geography but a country of great wealth waiting for Japanese hands; that the overcrowded villages of the main islands had somewhere to send their surplus; and that the northern gate had to be held. The recent scholarship on Japanese settler colonialism reads this as a Malthusian and Lockean apparatus imported from Anglo-American writing and put to work in translation, which is very likely right, and it is

worth noting that it was addressed to readers who would be asked to pay for the island and to send their sons to it.

What the Ainu were told

There is exactly one document in this period addressed to the Ainu, and it is not a story.

In 1871 the Colonisation Office issued an Announcement to the Natives. It has four articles. Those who take up the opening of land will be given a house and implements, and the custom of burning the house of a dead man and moving on is forbidden. Girls born hereafter are strictly forbidden the tattoo. Men are strictly forbidden earrings; women, for the time being, may please themselves. Everyone is to make every effort to learn spoken Japanese, and the written language as well.

That is the whole of it. There is no account of why the arrangement is right, no claim about the Emperor's relation to the island, no appeal to anything an Ainu valued or feared, no argument of any kind. It is a schedule of prohibitions with an inducement attached to the first one, issued in a language the addressees had been forbidden to learn for two centuries and had now been ordered to learn instead. And it is not an oversight or a failure of imagination. Where a conqueror needs the belief of the conquered he argues with them, at length, in their own terms, and the record fills with catechisms and sermons and translated liturgies. Where he does not need it he issues instructions. The absence of an argument is a measurement, and what it measures is how little the Ainu's consent was worth to the arrangement — which, given that they were fifteen per cent of the island's population in 1873 and falling, and had raised no rising since 1789, was almost nothing.

There is one thing addressed to them that reaches for a higher register, and it comes late. The justification offered for the Protection Act of 1899 rests on 一視同仁 — *isshi dōjin*, the doctrine that the sovereign looks upon all with a single and

impartial benevolence — and on the proposition that the Act would confer on the Ainu the honour of becoming imperial subjects. This is the deferral clause doing its familiar work, and doing it in a Japanese idiom: it places the conquered inside the moral community and simultaneously earlier in it, not excluded but not yet arrived, so that coercion and inclusion can be extended in the same sentence. The title of the Act performs the same operation in three characters. 旧土人 — *former* natives. Not natives, who might have a claim; not Japanese, who would have rights; former natives, who are on their way.

The story the settlers told themselves about the ground

Every settler order tells itself something about who was there before, and the Japanese version of it was conducted with footnotes.

In 1877 the American zoologist Edward Morse excavated the shell mound at Ōmori and found pottery that did not match anything known of Ainu manufacture; Ainu he asked denied that their ancestors had made pots. Morse concluded in 1879 that the mound belonged to some Neolithic people who had preceded the Ainu, and his paper is generally taken to mark the beginning of archaeology in Japan. In 1886 Watase Shōzaburō wrote in the first number of the report of the new Anthropological Society that the pit dwellings visible around Sapporo were the work of the *koropokkur* — a small people who appear in Ainu oral tradition as dwellers under the butterbur leaf — and that this proved the koropokkur had held the country before the Ainu. In 1887 Morse's student Tsuboi Shōgorō, who had founded that society in 1884, endorsed the argument and made it his own.

Follow what the claim does rather than whether it is true. If the koropokkur were real and were displaced by the Ainu, then the Ainu are themselves incomers who took the island from an earlier people, their claim is a conqueror's claim like anybody

else's, and a third conquest is merely the latest turn of a wheel. The ruins in the ground belong to someone else. It is the same operation that Karl Mauch performed at Great Zimbabwe with a chip of lintel and a smell like a pencil, and it was performed here in a learned society by men with degrees, over more than two hundred papers in twenty-five years.

And then — this is where the case departs from the pattern and becomes interesting — it lost.

Koganei Yoshikiyo, who had studied anatomy in Germany and held the chair at the Imperial University's medical school, went to Hokkaidō with Tsuboi for two months in 1888 and returned alone for three months in 1889. He excavated and collected a hundred and sixty-six skulls and ninety-two skeletons of Ainu dead, compared them with Jōmon remains, and published in 1894 a study which concluded that the Ainu were descended from the Jōmon people, that they had once lived throughout the archipelago, and that they had been driven north onto this island by the Japanese. Tsuboi's koropokkur did not survive it. The academy that had produced the pre-emptying story tested it and threw it out, in public, on the evidence, five years before the Protection Act.

The dispossession was not affected in the slightest, and the reason is the finding.

Because Koganei had a second argument, and it conceded everything the first had denied. In a lecture published in the *Kokumin Shinbun* on 27 March 1894 — the year before a protection bill was first put before the Diet — he set out the position that the Ainu were incapable of acquiring civilisation, in common with the ordinary barbarian races of the world, and that such races die out on contact with it. Then he examined that claim and found it too vague, and produced a better one. Since the Restoration, he said, the development of Hokkaidō had gone forward year by year, and the more the island improved the worse the hardship of the Ainu became; as the land was reclaimed the animals they hunted and the fish they caught

declined, and this, he allowed, was perhaps undeniable. A barbarian people needs a great expanse of ground because it does not know how to farm and lives on what nature produces; as more Japanese come and open land the ratio of people to ground moves against the Ainu, their struggle to live grows harder, and if they cannot manage to survive by work they will inevitably decline.

The whole of the causation is in there, stated by the man himself, from the reclamation to the deer to the salmon to the hunger. And then it is attributed to race, and the conclusion drawn is that the civilised must protect the dying. Nothing in the argument required the Ainu to be recent arrivals. Nothing in it required the koropokkur to have existed. Koganei could afford to be right about the shell mounds and right about the deer and right about the salmon, and still arrive where the settlement needed him to arrive, because the load was being carried by the second story and not the first.

A robe can lose its factual argument entirely and keep its whole function, provided a second robe is available that concedes the fact and reaches the same conclusion. Southern Rhodesia had to censor its archaeologists into the 1970s because the settler story there had only one leg to stand on and the evidence was knocking it out. Japan never had to censor anything, because the story that mattered was not a claim about the past at all. It was a claim about the future — that these people were going, and that decency required the goers to be looked after on the way out — and a claim about the future cannot be refuted by a skull.

Note, finally, and without softening it, how the true finding was obtained. The proposition that the Ainu were the original people of Japan, driven north by the Japanese, was established by digging up a hundred and sixty-six Ainu skulls. Those remains, and thousands more collected in the decades that followed, sat in the storerooms of Japanese universities into the present century, and their repatriation is a live matter now.

Which audience the money went to

The framework's sharpest test is not what an order said but what it paid for when it did not have to. Force never buys what it does not need, so a real and avoidable expenditure on legitimacy identifies the audience whose compliance actually mattered.

On this island the order spent nothing on Ainu belief. There was no mission, no catechism, no translated scripture, no attempt to bring Ainu inside Shintō, no adoption of a single *kamuy*, no argument. The three deities were installed for the settlers, the shrine was built for the settlers, and the festival calendar was theirs.

But it spent, and spent visibly, on one thing: on not being seen to be doing badly by foreigners.

In 1877 the Anglican missionary John Batchelor came to Hakodate and began forty years of work among the Ainu — the language, the dictionary, the conversions, a charity school at Horobetsu in 1890, a boarding school at Hakodate in 1892, twenty Ainu girls in his own house in Sapporo in 1895, an Ainu hospital in Sapporo in 1892 that treated some four hundred people in four years with the head of the Sapporo hospital, Sekiba Fujihiko. An Englishwoman, Lucy Payne, set up a charity school at Harutori near Kushiro in 1891 and native schools beside a number of churches. And in 1893 the committee investigating a law for the education of former natives reported on it. Ainu schools had not yet been established, it said, so children were beginning their education under foreigners; there was a school at Horobetsu run by Batchelor with more than twenty Ainu under his complete control, and a schoolhouse at Harutori built by Payne with more than forty children being raised in it. It would be, the committee wrote, "a national disgrace" if the government continued to look on as a spectator.

Read the sentence with attention, because it is the module's answer. The disgrace is not that Ainu children are uneducated. The disgrace is that they are being educated by Englishmen

while the Japanese state watches — and a disgrace requires a witness. The Japanese state in 1893 was six years from the revision of the unequal treaties it had been pursuing for a generation, and the whole of that campaign rested on the proposition that Japan was a civilised power of the same order as the European ones, entitled to the same standing. A civilised power looks after the aborigines in its territory. It does not leave them to the charity of another country's missionaries, who write books and give lectures at home.

The same tell appears earlier and cleaner in Sanjō's instructions of 1869, if the four articles are read against each other. Articles one and two concern Hokkaidō and are about civilisation and productivity. Article three concerns Sakhalin, where Japanese lived among Russians, and its whole content is restraint: be entirely decorous, be reasonable, do nothing thoughtless, take up no vices; if Russians are arrogant or do unjust things, do not respond as an individual; go through the consul and through government channels; bear small provocations. Nothing of that kind is said about conduct toward the Ainu on Hokkaidō, because on Hokkaidō there was no consul to complain to and nobody keeping a transcript. **The same document, in adjacent paragraphs, imposes strict standards of behaviour where a foreign observer exists and imposes none where he does not, and it does so without any sense that the two cases might be compared.** That is the seam, drawn in a single sheet of paper, in 1869, before the conquest was three months old.

Reading the robe against the framework

There were four audiences and three of them were addressed. The metropolitan public got development, overpopulation and the northern gate; the settlers got the three colonisation deities, the grid, the college and the frontier; the Western powers got the protection statutes, the schools, and

eventually the anthropology. The Ainu got a list of four prohibitions in 1871 and a statute called protection in 1899. The prediction that a colonial legitimating story is cut for the metropole rather than the conquered is confirmed here, and confirmed in its strong form — not that the conquered received an inferior version but that they received none at all.

But the fourth audience is the one this case adds, and it is not the metropole. The corpus has treated the colonial robe as running between two ends of a seam, the metropole and the ground. Hokkaidō will not fit that, because the audience whose regard the Meiji state most conspicuously paid for was neither of them: it was the Western powers whose recognition of Japan as a civilised state was the object of the entire foreign policy of the period. The 1893 committee did not fear that Ainu children would grow up ignorant. It feared that Englishmen were teaching them and that this would be seen. **Where a conquering state is itself seeking admission to a club of conquering states, its robe acquires a third audience which is neither its own public nor the conquered, and that audience can be the most expensive of the three** — because the others can be managed with a story, and this one has to be paid in visible institutions. The schools built under Article 9 of the 1899 Act, the medical provisions of Articles 5 and 6, and the whole vocabulary of 保護 are the invoice.

The trusted-information leg was forged, and one can watch the forging. Of the three provenances — forge, redirect, inherit — this order chose the most expensive and did so deliberately, importing three deities from the capital rather than getting behind any authority the Ainu already trusted. The framework has treated redirection as the cheap and obvious move for a conqueror, and it is. The refinement this case supplies is the condition under which a conqueror declines it: **redirection is only worth its price where the conquered's compliance is needed, and where it is not, a conqueror will forge for his own people and leave the native sacred**

authority entirely alone — neither co-opted nor suppressed, simply unaddressed. The absence of any attempt to capture the *kamuy* is therefore not evidence of tolerance. It is the same measurement the missing argument gives, taken twice.

And the robe survived the defeat of its own evidence, which is the finding to carry forward. The pre-emptying story about who built the pit dwellings was raised, argued, tested and beaten inside the same learned society, by a man whose contrary conclusion — that the Ainu had held the whole archipelago and been driven north by the Japanese — was as damaging to the settlement as a finding can be. It changed nothing, because a second story was already in place which conceded that the Japanese had taken the land, conceded that the taking had destroyed the deer and the salmon, conceded that the hardship followed from the taking, and then explained the outcome by the character of the people it fell on. **The most durable legitimating stories are not the ones best defended against the facts. They are the ones that do not need the facts to come out any particular way** — and a story about a people's future is of that kind, where a story about their past is not.

❧

A note on sources. The documents this module turns on are Japanese state and press material of 1869 to 1894 and are in the public domain; but this study has read them only in the English renderings by Michele M. Mason of the passages quoted by Komori Yōichi in his essay on the vocabulary of colonialism, published in translation in the Asia-Pacific Journal from *Reading Colonial Japan* (Stanford, 2012). They are therefore given here in paraphrase rather than as quotations, and the paraphrases should not be treated as the wording of the originals. This applies to the imperial inquiry of 1869 on Ezo as the northern gate; to Sanjō Sanetomi's four-article instruction to the Colonisation Office of September 1869, taken by Komori from the *Kaitakushi nisshi*; to the Announcement to the Natives of 1871, from the same source; and to Koganei Yoshikiyo's lecture as published in the *Kokumin Shinbun* of 27 March 1894, where the

bracketed identifications of the hunted animal as bear and the caught fish as salmon are the newspaper's own. The single phrase quoted directly — the 1893 education committee's warning of "a national disgrace" — is three words of Mason's translation of Komori's quotation from Takakura Shin'ichirō's *Ainu seisaku shi* (1942), and is quoted because the argument turns on that exact judgement rather than on its substance. The originals should be consulted before any of this material is relied upon further.

The account of the enshrinement of the three colonisation deities — the rite performed at the sanctuary of the Department of Divinities on the first day of the ninth month of Meiji 2, the identities of Ōkunitama, Ōnamuchi and Sukunahikona, the carriage of the spirit-vessels by Higashikuze Michitomi to Hakodate and by Shima Yoshitake to Sapporo, the temporary shrine of 1870, the naming as Sapporo Shrine in 1871 and the completion at Maruyama that September, the subsidiary shrine to thirty-seven meritorious colonisers, and the orientation of the great gate to the north-east against Russia — is drawn from the shrine's own published history and from Japanese reference and encyclopedic sources, which agree on these particulars. The renaming to Hokkaidō Jingū with the addition of Emperor Meiji in 1964 is likewise from those sources.

Modern scholarship is paraphrased and credited. The history of the koropokkur controversy — Morse's excavation of the Ōmori shell mound in 1877 and his publication of 1879, Watase Shōzaburō's article of 1886, Tsuboi Shōgorō's endorsement of 1887 and his founding of the Anthropological Society in 1884, the Tsuboi–Koganei expedition of 1888, Koganei's return in 1889 and his collection of one hundred and sixty-six skulls and ninety-two skeletons, and his study of 1894 concluding for Jōmon ancestry and northward displacement — follows the review of physical anthropology in Japan published in *Current Anthropology* and the treatment in Richard Siddle's *Race, Resistance and the Ainu of Japan*. Komori Yōichi's reading of the vocabulary of protection, and his demolition of the internal contradiction in Koganei's lecture, is his and is credited as such; the framework conclusion drawn from it in the closing section is this study's own and Komori should not be held to it. The account of John Batchelor's mission and schools, of Lucy Payne's school at Harutori, and of the 1893 committee's report follows Komori. The claim that Clark sought to reproduce a New

England farming landscape, and the standing of his parting words, follow the same source and the published work on Japanese colonial control in international terms; the words themselves are legendary in transmission and are given here as such.

Two cautions. First, the phrase 一視同仁 and the formula about the honour of becoming imperial subjects are reported here as the justification offered for the 1899 Act by its proponents; this study has not read the Diet debates, and the distribution of that language between the bill's sponsors, the government and later commentary is not established here. Second, and as in every module of this study, the entire body of material examined above was produced by one side. There is no Ainu account of the enshrinement at Maruyama, no Ainu commentary on the koropokkur controversy from the period in which it was conducted, and no record of what was said in the kotan about the Announcement of 1871. The silence is not evidence that nothing was said.

MODULE 4

FORTY-EIGHT OF THEM WERE SCHOOLS

Module 4 — formation, 1871–1922: the machine that was already running on the metropole, what it did when it was pointed at the island, what it withheld, and the people it made by accident

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The machine was already running, and it was resisted at home

Begin in Mimasaka, in the hills of what is now northern Okayama, in May 1873, four years after the annexation of Hokkaidō and two thousand kilometres from it.

In January of that year the government had promulgated a conscription law. Every male was to present himself for examination at twenty; those who passed went into a lottery for three years with the standing army and four in the reserve; every man between seventeen and forty went on the national roll. The proclamation that accompanied it borrowed a French phrase and called military service the blood tax, and the rumour ran through the villages that men in white coats would come and take your blood. Behind it stood the other new burdens: the school system order of the previous August, which required every locality to build and fund an elementary school and every child to attend for four years; the land certificates and the tax reform; and the abolition of the outcaste status, which the villagers of Mimasaka regarded as an injury to themselves.

At the end of May they rose. Tens of thousands of them, for six days and nights, until two companies from the Osaka garrison put them down. They burned and broke some five hundred and ninety-nine places — the houses of officials, the offices of village headmen, the land-certificate stations — and they killed twenty-nine people from the outcaste settlements. Forty-eight of the five hundred and ninety-nine were elementary schools.

There were between fourteen and nineteen risings of this kind across western Japan in 1873 and 1874. Afterwards the prefecture issued a circular ordering the schools rebuilt at speed.

Hold that picture beside everything that follows, because it is the fact that makes this module different from its equivalent in any European settler case. When the Meiji state set about making Ainu children into Japanese, it was not applying to a conquered people a formation its own population already possessed. It was applying to a conquered people a formation its own population was fighting in the streets. The school, the conscript's medical examination, the standardised morning assembly and the new calendar were not the settled furniture of Japanese life in 1873. They were an imposition three years old, resented in the villages of Honshū exactly as they would be resented in the kotan of Hokkaidō, and the man from Miyagi who stepped off the boat at Otaru in 1876 was himself a very new Japanese — until 1871 the subject of a domain rather than of a nation, and until 1872 a man who had never seen a schoolhouse.

Two further pieces of that machine deserve naming, because they are formation in its purest form and they fell on the metropole first.

The first is the calendar. On the second day of the twelfth month of Meiji 5, the government announced that the following day would be the first of January 1873. The lunar calendar under which every Japanese had reckoned his festivals, his ancestors' death-days, his rice year and his age was abolished

overnight by decree, and a European solar one put in its place. Whatever else one thinks about the suppression of an Ainu ritual year, it should be read against the fact that the state had already done the same thing to its own people, in a single sentence, and against no consent whatever.

The second is the Imperial Rescript on Education of the thirtieth of October 1890: three hundred and fifteen characters enjoining reverence for the imperial ancestors, filial piety, benevolence and learning, distributed to every school in the empire, kept with the Emperor's portrait, read aloud at ceremonies and memorised by children. It is the portrait of the good subject, issued as a document, and it was issued to everybody.

What the settlers were made into

On the island the same machine ran, with two additions of its own.

The first was the Sapporo Agricultural College, founded in 1875 and opened under William Smith Clark of the Massachusetts Agricultural College, who arrived in 1876 and stayed eight months. He taught scientific agriculture adapted to a cold climate, ran the place on the model of the American land-grant college that the Morrill Act had created, and converted his students to Christianity, having them sign a covenant. Among the young men in his classrooms in those first cohorts were Nitobe Inazō and Uchimura Kanzō, who would spend their adult lives writing Japan into a form the West could read — Nitobe's *Bushido* in English in 1900, Uchimura's *How I Became a Christian* — and Nitobe would go on to hold a chair in colonial policy and to help design the administration of Taiwan. The frontier college produced, within one generation, the men who explained the empire to its foreign audience and staffed its later colonies. That is what a settler colony's formation of its own elite looks like when it works.

The second was the farmer-soldier village, which was a formation institution as much as a military one: a settlement laid out on a survey grid, with drill, muster, guard duty, a schedule and a chain of command, into which households were placed as units. Around them stood the Sapporo Shrine with its imported deities and its festival year, and above them, from 1887 in principle and from the first day of 1896 by imperial ordinance in Oshima, Shiribeshi, Iburi and Ishikari, the conscription law.

That last date is worth a moment, because for a quarter of a century Hokkaidō was where mainland Japanese went to *escape* formation. Conscription did not apply on the island; the Bonins and Okinawa were likewise exempt, Okinawa until 1898 and the Sakishima islands until 1902; and men on the main islands who wished to avoid the draft transferred their household registers north or south. Natsume Sōseki moved his to Iwanai in Hokkaidō. The chemist Suzuki Umetarō did the same. So did enough others for the government to close the loophole. There is a period of about twenty years in which the island was simultaneously the place where Ainu children were being compelled into Japanese and the place a Tokyo intellectual filed a piece of paper in order to be slightly less Japanese himself.

What the Ainu were made into, and what was left out

The formation of the Ainu proceeded in four moves, and each of them can be dated.

They were entered. The Family Register Law of 1871 recorded them as commoners and gave them surnames, and the Colonisation Office's announcement of the same year told them to stop burning the house of a dead man and moving on, forbade the tattoo to girls born thereafter and earrings to men, and instructed everyone to learn Japanese speech and Japanese

writing. In November 1878 the Colonisation Office adopted 旧土人 — former aborigine — as the uniform official term.

They were separated. The Protection Act of 1899 provided at Article 9 that elementary schools might be built at state expense in places where former aborigines had formed settlements. The Hokkaidō Colonisation Ten-Year Plan of 1900 set out the building programme. In March 1901 the Hokkaidō Government issued the Regulations for the Education of Former Aborigine Children, which put Ainu pupils in separate schools under a separate curriculum. The first was at Biratori in 1901; by 1912 there were twenty-three of them.

They were shortened. The course in these schools ran four years where the ordinary elementary course for Japanese children ran six. The content, on the standard account, was that of three years of the ordinary curriculum stretched across four, on the stated premise that Ainu children learned more slowly. Science was not taught. Geography was not taught. The priority was the acquisition of Japanese. The Ainu language was not a subject, and neither was anything else that belonged to the children in the room.

And then the arrangement was quietly dissolved. In April 1922 the Hokkaidō Government abolished the Regulations, and the special schools were progressively merged into the ordinary system over the following years.

Set those four moves against each other and the mechanism is exact, and it is not the mechanism the corpus has met before. In Southern Rhodesia formation was withheld: Africans were not made into clerks because settlers wanted the clerkships, and the withholding was defended in writing. Here nothing was withheld at the level of identity. An Ainu child was to be given a Japanese name, a Japanese tongue, a Japanese script, a Japanese calendar and a Japanese emperor, comprehensively and by statute — everything, that is, that dissolves the self he arrived with. What was withheld was everything on the other side of the ledger. Four years instead of six, no science, no geography: a boy

leaving Biratori in 1905 had been given a new identity and had not been given the qualifications to sit a middle-school entrance examination, which is to say he had been made into a Japanese who could occupy no position a Japanese could occupy.

This is a third variant and it belongs on the card. Withholding formation and removing the destination are two halves of one mechanism; **there is also a form in which the identity-dissolving half is delivered in full and the capacity-conferring half is truncated, and it is the characteristic instrument of an order that wants the conquered to disappear rather than to serve.** A conqueror who needs clerks forms clerks. A conqueror who needs labourers forms labourers and stops. A conqueror who needs neither, because he has imported both, forms nothing but a subject — and calls it protection.

The ceremony that was performed for the Emperor

In 1881 the Emperor Meiji travelled to Hokkaidō, and at Shiraoi on the Pacific coast the *iyomante*, the bear-sending, was performed in his presence.

At that date the same government's officials were suppressing the ceremony in the villages, along with the tattooing of women, the wearing of earrings by men, and — on the account of the standard scholarship — shaving beards by force. The rite that had been the principal religious act of the Ainu year, the occasion that drew neighbouring kotan together and the reason a bear cub was raised in a household like a child, was being extinguished as practice and staged as exhibition, in the same decade, by the same administration, and at the same place: Shiraoi, where the ceremony was shown to the Emperor in 1881, would in the twentieth century become the site of an Ainu village maintained for visitors and, eventually, of the national museum.

Read that pairing without an adjective and it explains itself. What the order wanted from the ceremony was the form — something to show a sovereign, something that made the northern possession picturesque and the possessor magnanimous. What it did not want was the content, which was a set of obligations to a world of *kamuy* that had nothing to do with the Emperor and did not require his permission. **An order that preserves a conquered people's ritual as spectacle while suppressing it as practice has taken precisely what it wanted and removed the only part that was ever a threat, which is that somebody believed it.**

The one honest qualification is that the suppression did not work as thoroughly as the policy intended. The iyomante went on being performed in Ainu communities well into the twentieth century, and the formal restriction — a Hokkaidō administrative notification of 1955 directed at the killing of the cub — came half a century later and in response to criticism from Japanese animal-welfare campaigners rather than from colonial policy. Since then it has been performed with an animal already dead. That is a different kind of ending and it belongs to a different module.

The people the order made by accident

Chiri Yukie was born in 1903 at Noboribetsu, into a family in which the *yukar* were still recited. Her grandmother Monashinouku and her aunt Imekanu carried the tradition; she grew up hearing it. She was also put through the Japanese school system and came out of it fully literate in Japanese, which is what the system was for.

In 1918 the linguist Kindaichi Kyōsuke came north on a research trip, met Imekanu, and discovered that her niece knew the songs as well. At his encouragement Yukie began writing them down. She had to do it in a borrowed alphabet, because her own language had never had a script — and she declined the

romanisation the scholars had settled on, which added vowels at the ends of words, in favour of one closer to how Ainu was actually spoken. In her notebook she put the Ainu on one side and her own Japanese translation on the other. In 1921 she sent Kindaichi a manuscript. In May 1922 she went to Tokyo and lived in his household to prepare it for the press. She finished the work on the eighteenth of September 1922 and died of heart failure the same day, at nineteen.

It was published in 1923 as *Ainu shin'yōshū* — thirteen songs of the gods, in romanised Ainu with her Japanese facing — by a press associated with the folklorist Yanagita Kunio. It is the first publication of Ainu tradition by an Ainu author, and it remains the principal source for the material it contains. In her preface, written in Japanese in the last months of her life, she set down what her people had been and what was being lost, and asked that the tales her ancestors had told each other on wet evenings and in snow be read by those who did not know them; and she wrote it as one who had been born Ainu and raised in the Ainu language, which is the precise reason she could do it and the precise reason it was urgent.

She was not the only one. Her aunt Imekanu, who had worked for years as a mission helper under the Anglican Batchelor, retired in 1926 and spent the rest of her life transcribing *yukar* — some twenty thousand pages in a hundred and thirty-four volumes, seventy-two of them destined for Kindaichi and fifty-two for her nephew; the Japanese government gave her the Medal with Purple Ribbon in 1956. Her nephew was Chiri Mashiho, Yukie's younger brother, who did not learn the language properly until high school, went to university under Kindaichi's sponsorship, became a linguist of the first rank and the first Ainu to hold a full professorship at Hokkaidō University, compiled the Ainu dictionaries that superseded Batchelor's — and then turned on Kindaichi and Batchelor both, attacking their scholarship as a distortion of Ainu culture in the service of

academic and colonial ends. The pupil took the chair and used it against the men who had put him in it.

And the traffic ran the other way as well. Benkai Takojirō, an Ainu of Otoshibe, joined the search parties after the Hakkōda mountain disaster of January 1902 in which most of a Japanese army column froze to death. In May of that year he petitioned the Minister of the Army to be allowed to raise an Ainu unit. A man who had been told for thirty years that he was a former aborigine was asking for the one thing that would have made him unambiguously a subject, which is the right to be conscripted.

Reading formation against the framework

The inversion the seed predicted is real, but the variable is not only the ratio. Rhodesia refused to form Africans; Hokkaidō formed Ainu compulsorily; both were settler colonies; the seed proposed that the difference lay in the relative size of the populations, and that where the conquered are few enough, absorption is cheaper than a permanent apparatus of segregation. That is very likely part of it, and the ratio here — a little under fifteen per cent in 1873, and falling fast — is at the extreme end of the range. But the Hokkaidō record adds a second variable which may be the larger one, and it can be stated plainly: **the Meiji state assimilated the Ainu because it was in the middle of assimilating everybody.** The school, the conscript roll, the solar calendar, the rescript and the register were built to manufacture "Japanese" out of the populations of two hundred and sixty abolished domains, who did not think of themselves as one people either, and who burned forty-eight schools to say so. A machine of that kind, once built, is pointed at whoever is in reach, and the Ainu were in reach. The prediction this yields is testable against the corpus: **a conquest made by a long-settled nation-state will tend to withhold formation from the conquered, because**

the metropole's own identity is finished and admitting anyone to it is a concession; a conquest made by a state still assembling its own nation will tend to impose formation, because the conquered are simply more raw material for a process already under way. Britain in 1890 was the first case. Japan in 1869 was the second. Rome, absorbing Gaul while Italy itself was still being made Roman, may be a third, and if the corpus ever runs it, this is the variable to test.

The delivery, though, was segregated, and there the ratio does its work. The identity half of formation was given in full and the capacity half was truncated: separate schools, four years against six, no science, no geography, a curriculum that ended nowhere. The framework should carry this as a third configuration alongside withheld formation and the removed destination. **Where the conqueror needs neither administrators nor labourers from the conquered — having imported both — the formation he supplies is entirely dissolutive: everything that unmakes the old self, nothing that qualifies for a place in the new order.** The output is a person with no position in either arrangement, and the statute that produces him is called protection.

The ceremony was conserved and forbidden at once, and the conservation is the diagnosis. Performed before the Emperor at Shiraoi in 1881; suppressed in the villages in the same years; and shown to paying visitors at the same Shiraoi within two generations. An order that keeps the form and kills the belief has told you exactly what the ritual was worth to it, and what it was afraid of.

And the accidental formation ran precisely as the card says it will — but it required an instrument the order did not know it was supplying. Chiri Yukie used a literacy given to her in order to replace her language, and an alphabet brought by missionaries and linguists in order to study it, to write down thirteen songs of the gods so that they would not go with her.

Her brother took the professorship and turned it against his patrons. Her aunt filled a hundred and thirty-four volumes. **The tools an order issues for assimilation are the same tools by which the assimilated afterwards document what was taken from them — and where the conquered had no script of their own, the conqueror's script is the only vessel the record can travel in.** That is not a consolation and should not be written as one; the cost of the transfer was that everything had to be translated into the language of the people doing the taking, and the woman who did it died at nineteen with the ink still wet. But it is the reason there is anything at all to set against the official record in the modules that follow, and the counter-elite that will matter later begins in these classrooms rather than in any rising.

❧

A note on sources. This module quotes nothing exactly. Every document it turns on — the school system order of 1872, the conscription law of January 1873, the calendar decree, the Imperial Rescript on Education of 1890, the Colonisation Office's announcement to the natives of 1871, Article 9 of the 1899 Act, the Regulations for the Education of Former Aborigine Children of 1901, and Chiri Yukie's preface of 1922 — is a public-domain Japanese text, and all of them have been read here in Japanese secondary summary or in English translation rather than in the original. They are therefore given in paraphrase, and the paraphrases should not be treated as anyone's wording. Chiri Yukie's preface in particular is widely quoted in English in translations that are themselves in copyright; its sense is given here without borrowing any translator's words, and the reader who wants her actual sentences should go to the published editions.

The account of the blood-tax risings of 1873–74 — their number, given variously as fourteen, sixteen or nineteen; the scale of the Mimasaka rising of May 1873 and its suppression by two companies of the Osaka garrison; the destruction of some five hundred and ninety-nine premises of which forty-eight were elementary schools; the killing of twenty-nine people from the outcaste settlements; and the combination of demands against conscription, against the school system, against the land-

certificate charges and against the abolition of the outcaste status — follows the standard Japanese reference literature and the Japanese-language survey of the risings, which differ on the totals and are reported here as they differ. An alternative count of 432 buildings appears in one of these sources and is noted rather than reconciled.

The regional application of the conscription law — the mainland from 1873, the Bonins and Hokkaidō from 1887, four Hokkaidō provinces by imperial ordinance from 1 January 1896, Okinawa from 1898 and the Sakishima islands from 1902 — and the practice of transferring household registers to those regions to avoid the draft, with Natsume Sōseki and Suzuki Umetarō as the standard examples, are from the Japanese reference literature on the law. The abolition of the exemption categories in 1889, and the estimate that only some five per cent of eligible men were actually taken even at the time of the Sino-Japanese War, are from the same body of work.

The Ainu school system is drawn from the Hokkaidō prefectural government's own current statement of its Ainu policy, which concedes the four-year course against the Wajin six and the absence of science and geography; from the standard Japanese encyclopedia entry, which supplies the figure of twenty-three schools, the compression of three years' content into four, the stated premise of slower ability, and the exclusion of Ainu language and culture from the curriculum; and from Ogawa Masahito's and Takegahara Yukirō's published research on the establishment of the Ainu schools, which supplies Biratori in 1901 as the first and 1912 as the completion of the twenty-three, and the abolition of the Regulations in April 1922. The 1923 survey finding that only some nineteen per cent of granted land was being worked by its grantee, and the recovery of Ainu-held granted land to about sixty per cent by 1933 under the guidance commissioners and mutual-aid associations, are reported from the Japanese-language literature and are not independently verified.

The performance of the iyomante before Emperor Meiji at Shiraoi in 1881 is reported in the peer-reviewed literature on

the bear ceremony, citing Mitsuoka (1924); the original has not been consulted. The Meiji-period suppression of the ceremony, the forcible shaving of beards and the prohibition of tattooing follow Richard Siddle. The Hokkaidō administrative notification of 1955 restricting the killing of the cub, issued in response to criticism from Japanese animal-welfare campaigners, is from the same peer-reviewed literature; accounts that place a formal national ban in the 1960s appear in the popular sources and are not adopted here.

The Chiri family material — Kindaichi Kyōsuke's meeting with Imekanu and Chiri Yukie in 1918, the manuscript sent in 1921, Yukie's removal to Tokyo in May 1922, her death on 18 September 1922 at nineteen, the publication of *Ainu shin'yōshū* in 1923 through the press associated with Yanagita Kunio, her choice of a romanisation closer to spoken Ainu, Imekanu's 134 volumes and twenty thousand pages and her Medal with Purple Ribbon in 1956, and Chiri Mashiho's professorship and his later criticism of Kindaichi and Batchelor — follows the published biographical and scholarly literature in English, principally the Asia-Pacific Journal's presentation of the Selden translation and the reference literature. Benkai Takojirō's participation in the Hakkōda search of January 1902 and his petition of May 1902 for an Ainu unit are from the Ainu chronology compiled by the Ainu indigenous-rights research project, and the petition's contents and outcome have not been established here.

Finally: the resistance of Japanese villagers to the formation described in the first section of this module is documented in detail, because they burned buildings and the state counted them. The resistance of Ainu households to the same formation is very poorly documented, because it took forms — a child kept home, a name used only indoors, a ceremony held out of sight — that generate no record at all. The asymmetry in this module runs the same way as in every other, and the silence should not be read as consent.

MODULE 5

AN UNAVOIDABLE POLICY

Module 5 — the cost column, 1856–1946: three populations at the bottom of one island, what each was made to pay to stay, what exit cost, who took it, and the ledger the state wrote out in its own hand

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The question, and why it has three answers here

Why does a man who is being dispossessed get up in the morning and go on living under the arrangement that is dispossessing him?

Usually because leaving has been made worse than staying, and because the arrangement has been there long enough to stop looking like an arrangement. The framework reads that as a ledger: a benefit column filled by formation, a cost column held up by a credible enforcer, and a residual — the last thing a man still has that makes the whole thing survivable.

Most colonies present one such ledger, because there is one subordinate population. Hokkaidō presents three, and they do not resemble each other. There is the Ainu household, whose ledger contains no police at all. There is the settler farmer, who arrived as a beneficiary of the settlement and ended as a tenant of an absentee. And there is the coerced labourer — convict first, then debtor — who was neither conquered nor settler but was shipped from the metropole under sentence or under a loan,

and who paid the highest price of anybody on the island. A study that reads only the first of these will report that this was a mild conquest. That is the error this module exists to prevent.

The Ainu ledger: an exit that was open, taken, and then closed

Start with exit, because exit is what the Ainu had.

In 1856 the shogunal official Kasahara Gengo arrived at Shiraoi to persuade the Ainu to become Japanese. He offered about eighteen litres of brown rice to each man who would be entered on the register, and cotton cloth to those who would go further and cut their hair, fold their kimono to the right, take a Japanese name and give up the tattoo. In some villages seven in ten complied. Elsewhere men went up into the hills rather than have their hair cut, and others took the rice, agreed to everything, and resumed their own way the week the officials moved on.

That is a cost column with almost nothing in it. Defection cost a walk into country the state could not follow, or a week's patience. The reason is geographical and administrative: the enforcer was a boat, a magistrate and a handful of interpreters, the interior was open, and a household that could feed itself from the river and the hills had no reason to comply for longer than the rice lasted.

Then the price of exit was paid in full, once, by people who had been given no choice about anything else. In 1875 the Treaty of St Petersburg required the Ainu of the exchanged territories to choose a sovereign; 841 Karafuto Ainu from 108 households chose the Emperor under heavy pressure and were carried to Sōya; in November 1876 they were moved again, inland to Tsuishikari near Sapporo, away from the sea their living had come from for as long as anyone could count, and set to farm. In 1879 cholera took thirty of a party of about a hundred and forty working away from the village. Between

January 1886 and February 1887, cholera and smallpox killed 319 of about 800. And then about 203 of the survivors — roughly half of those still alive — crossed the strait illegally, without permission and against the law, back to Sakhalin, which by then was a Russian penal colony. Tsuishikari was left empty.

Hold that number, because it is the single most reliable statement this study can make about how the arrangement was experienced from underneath. Belief cannot be read off a subject population from outside; but what people will pay to leave can be. Half the survivors of Tsuishikari valued exit from the Japanese village above safety, legality and the sea crossing, and chose a Russian prison island instead. **Where a study cannot read a conquered population's convictions, it can read the price they were willing to pay to be somewhere else, and that price is evidence of the same kind and better quality.**

After which the door shut — and it shut without a single guard being posted.

There was never a pass law in Hokkaidō. No Ainu carried a registration certificate. No permit was needed to travel, no curfew was set, no political police was raised, no vagrancy sweep was conducted, no masters-and-servants act made leaving an employer a crime. Run this case through the instruments the method usually reaches for and the return is close to nothing.

What closed the door instead was the property law and the game law, working together over about twenty-five years. The land had been declared state land in 1872 and was being disposed of in blocks of up to five hundred *chō* from 1897. Salmon were prohibited in the Sapporo rivers in 1878, in more rivers in 1879, in the upper Tokachi in 1883. Deer hunting was regulated in 1876, the Ainu exemption withdrawn in 1877 with a paid licence now required, poisoned arrows forbidden in 1889, and the subsistence hunt prohibited outright thereafter. A man who walked into the hills in 1856 was leaving. A man who

walked into the hills in 1900 was poaching, and there was no next valley, because the next valley was in a lease.

This is the funnel again, but built out of different material and with a different signature. Southern Rhodesia's funnel was five statutes each of which generated criminal convictions — 16,568 for pass offences in 1936 alone, forty-five a day. Hokkaidō's generated almost none, and the reason is not that it was gentler. **A statute that removes a man's food does not produce arrests; it produces hunger, which is not an offence and does not appear in any docket.** The framework's usual instruments — garrisons, penal codes, punishment records, conviction counts — are built to register what a state does to people, and they will systematically under-read an order that closed its exits by rearranging what people were allowed to own and eat.

Two things remained, and both should be counted honestly.

The first is that the coast was not closed as the rivers were. Sea fishing continued, and Ainu households went on working in the herring and salmon fisheries for wages, which is what a great many of them had been doing under the contract-post system since the eighteenth century. The wage was low and the season short, but it existed.

The second is stranger, and it is the residual. Article 2 of the 1899 Act, which forbade the grantee to sell, mortgage, pledge or encumber his five *chō*, was read in the last module as a cage — and it was. But read from below it is also a floor. Land that cannot be mortgaged cannot be foreclosed. Land that cannot be transferred except by inheritance cannot be signed away in an afternoon by a man who cannot read the document. In an economy where every other smallholder in Japan was losing his land to debt through exactly those instruments, the Ainu grantee was the one cultivator in the empire whose plot no creditor could reach.

And it went anyway. A survey of 1923 found that only about nineteen per cent of granted land was being cultivated by the

grantee. The rest had been taken by leases the governor's office approved, by arrangements over "management rights", and by straightforward fraud on households with no experience of written title. The state then appointed guidance commissioners and organised mutual-aid associations to manage the land on the grantees' behalf, and by 1933 the proportion still in Ainu hands had recovered to something over sixty per cent — with the consequence, which the Japanese literature notes and which is worth marking, that the episode taught the administration that Ainu could not manage land, and justified a further round of supervision.

A residual written into a statute is not a residual until somebody can enforce it. That is the finding, and it should be added to the card: the framework expects the residual to be a fact about the world — a lineage claim to a reserve, a stretch of river — and Hokkaidō supplies a case where the residual was a legal protection, drafted in the subject's favour, which failed because the subject could not use the courts that would have vindicated it.

The settler's ledger, and the metropolitan peasant's

The second population is the one the story was written for, and its arithmetic went sour.

The 1897 Act gave up to five hundred *chō* free to a single applicant on proof of improvement, with no auction and no price, and over a million hectares went out under it. The men who took the largest blocks were, very often, not going to farm them: Honshū capitalists, peerage syndicates and companies took land speculatively, cleared what they had to and let the rest, and the result was the absentee great-estate system that made Hokkaidō, by the end of the Meiji era, the most heavily tenanted farming region in Japan. When the American occupation forced the land reform through between 1947 and

1952, the Hokkaidō purchase came to 347,572 *chō* bought from 65,750 landlords, about half of it owned by men who did not live on it, with some sixty thousand tenant households expected to be freed. The ceiling for a resident landlord was set at four *chō* in Hokkaidō against one in the other prefectures, because the scale of the estates was different.

So the ordinary settler's ledger looked like this. He had crossed a strait, spent his savings on the passage and the first winter, and was clearing forest for a landlord in Tokyo. What held him was distance, debt, and one genuine item in the benefit column: the possibility, under the same statutes, of a freehold of his own after fifteen years, which some of them got. That is a real inducement and it worked. It is also the reason the framework should not read a settler population as an undifferentiated beneficiary class — a point Module 8 will need, because a tenant with a grievance against an absentee landlord and a governor is not obviously an ally of either.

Now the harder question, which is what happened to the metropolitan peasant who burned the schools.

In May 1873 villagers in Mimasaka destroyed five hundred and ninety-nine premises, of which forty-eight were elementary schools, in a rising against conscription, the school system and the land certificates. Thirty years later nine Japanese boys in ten were enrolled. Nobody out-policed them into it. The record of how the change happened is a record of the price coming down and the benefit going up, and it can be given as a series.

Primary school enrolment stood at 28.1 per cent in 1873 — 39.9 for boys, 15.1 for girls. It reached 41 per cent in 1880 and 49.6 in 1885, then stalled and slipped back to 48.9 in 1890, then rose to 61.2 in 1895. **In 1900 the government abolished tuition fees for elementary schooling.** Enrolment stood at 81.5 per cent that year, and at 97.7 per cent for boys by 1905; compulsory schooling was extended from four years to six in 1907 without the rate falling. Conscription, meanwhile, was never enforced as its universal language implied: the 1873 law

exempted government employees, students, men in medical training and the head of a household, and released anyone who paid a substitution fee of two hundred and seventy yen; fictitious adoptions and transfers of household register proliferated; and even at the time of the war with China only about five per cent of eligible men were actually taken.

That is the gradient running at speed, and it answers the question of how a formation resisted with fire became the furniture of a country inside a generation. The state priced the defection of the men who burned the schools — two companies of infantry from Osaka — and then, over the following twenty-five years, stopped charging for the school and left the conscription law mostly on paper. **Force handled the few; the benefit column did the rest; and the state could afford to fill the benefit column because it was getting rich.** The framework says the journey from the expensive pole to the cheap one sometimes takes the better part of a thousand years. Here is a case where it took thirty, and the variable was money.

Which sets up the question the last modules will have to answer, and it should be asked now rather than at the end. The same government, in the same decades, could have filled an Ainu household's benefit column too. It abolished school fees for Japanese children in 1900 and paid the fees of poor Ainu children under Article 7 of the 1899 Act — out of the Ainu's own common property under Article 8. It gave a Japanese settler five hundred *chō* and an Ainu household five. Whether the Ainu were a population the state could not afford to form, or one it declined to spend on, is the whole of the difference, and the arithmetic above is the evidence.

The third ledger, written out by the state

The heaviest cost column on this island belonged to men who were neither Ainu nor settlers.

From 1881 convicts under sentence of penal servitude were transported to five prisons on Hokkaidō, four of them inland where no Japanese had settled, and set to clear land, mine coal and build roads. What held them was, in the first instance, iron. On the Central Road they were worked in pairs, a serious offender chained to a lesser one, with a four-kilogramme weight on one man's leg. The huts they slept in were locked and a watchman was posted; the pillow was a single log laid across the row, and the men were woken by a guard striking the end of it. Those who ran and were caught were beaten in front of the others. Where a man died on the road he was buried at the roadside and a length of chain was laid beside him to mark the place, which is why those sites are called 鎖塚 — chain mounds — and why there are memorial stones on that stretch of the Kitami road today.

But the chain is only the enforcement. The arithmetic behind it was written down, and it is unusual to find a cost column stated by the party keeping it.

In 1885 Kaneko Kentarō — a secretary of the Council of State, Harvard-trained, sent north by Itō Hirobumi to inspect the three Hokkaidō prefectures — filed his report. On the use of convicts he wrote:

> 彼等ハ固ヨリ暴戻ノ悪徒ナレハ、其苦役ニ堪ヘス斃死スルモ、尋常ノ工夫カ妻子ヲ遺シテ骨ヲ山野ニ埋ムルノ惨情ト異ナリ、又今日ノ如ク重罪犯人多クシテ徒ラニ国庫支出ノ監獄費ヲ増加スルノ際ナレハ、囚徒ヲシテ是等必要ノ工事ニ服従セシメ、若シ之ニ堪ヘス斃レ死シテ、其人員ヲ減少スルハ監獄費支出ノ困難ヲ告クル今日ニ於テ万已ム得サル政略ナリ

They are of course violent and wicked men, so that if they cannot bear the hard labour and drop dead, this is a different matter from the pitiable case of an ordinary workman who leaves a wife and children behind and buries his bones in the wilds. Moreover, at a time like the present, when serious

offenders are numerous and needlessly swell the prison costs borne by the treasury, to make the convicts submit to these necessary works — and, if they cannot bear it and fall dead, thereby to reduce their number — is, at a present juncture when prison expenditure presents such difficulty, an unavoidable policy.

Two goods from one measure: the road gets built and the prison bill falls. The document does not conceal the mortality; it counts it on the credit side.

That passage also disposes of a reading that suggests itself and should be tested rather than assumed. It is tempting to think that these men were held cheaply because of what they were: a great many of them were former samurai — some twenty-seven thousand were sentenced to detention and hard labour after the Satsuma rising of 1877, and the Sorachi prison held mostly political prisoners, men of the Freedom and People's Rights movement — and a warrior formed to accept the consequence of a lost battle may have carried much of the holding himself. That may well be true in part. It is not recoverable from this record and it is not needed, because the record supplies a sufficient explanation on its face: they were chained together at the ankle, in a locked hut, in the snow, under a policy whose author had written down that their deaths were a saving. **Where a subject is physically restrained, his compliance says nothing whatever about his convictions**, which is why this method reads the base from what people do when a cost is removed rather than from what they endure while it is applied. What the record shows about that is that men did run, and were beaten for it, and that the prisons were wound down from the mid-1890s partly because the death rate had become a scandal.

And then the arrangement did not end. It changed employer.

From about 1894 the lethal use of convicts tapered, and the *takobeya* — the octopus room, also called the prison room — took its place on the same works, in the coal and metal mines,

the harbours, the railways and the hydro schemes, principally in Hokkaidō and Karafuto and among men drawn from Tōhoku, Hokuriku and northern Kyūshū. The recruitment method had a name: 蛸釣り, octopus-fishing. A broker found a man looking for work, stood him a day or two in the pleasure quarter, and delivered him to the contractor with the debt already attached. The day ran fourteen to sixteen hours. The huts were locked, a hierarchy of overseers enforced order by beating, and men who broke it were sometimes killed. The name is said to mean that a man who goes in cannot get out, as an octopus cannot get out of the pot. The system ran until an occupation directive prohibited it in 1946, and the bodies found in the walls of the Jōmon tunnel are commemorated on the line today.

The succession is the point. **When the state's own coercion became embarrassing it was not abandoned; it was privatised.** The convict had a sentence, a number, a file and a recorded cause of death. The takobeya labourer had a debt, and no one counted him.

Reading the cost column against the framework

There were three cost columns on one island and the framework has been reading colonies as though there is one. The Ainu household faced enclosure without police; the settler faced debt and tenancy; the imported labourer faced chains and then a private overseer. The third of these is the one no instrument in this method would find, because every instrument is pointed at the conquered. **Where a settler order imports its labour force, the harshest arithmetic in the colony is borne by people who are neither the conquered nor the settlers, and it will be recorded — if at all — as a domestic labour question in the metropole rather than as a colonial one.** Any accounting of what this conquest cost that

counts only Ainu will be wrong by an order of magnitude and will be looking in the wrong country.

Enclosure is a funnel that leaves no dockets, and its silence must not be read as mildness. Rhodesia's five statutes produced sixteen and a half thousand convictions in one year; Hokkaidō's produced almost none, because a property statute and a game licence do not generate arrests. **The framework should treat the absence of a criminal record as a finding about the technique of closure rather than about its severity** — and should expect that orders which enclose by property will always appear gentler than orders which enclose by police, whatever happened to the people inside them.

The exit was open, then priced, then shut; and the exit that was taken is the best evidence in this study. Men went into the hills in 1856 rather than have their hair cut, and half the survivors of Tsuishikari crossed illegally to a Russian penal colony in the 1880s rather than stay in a Japanese village. Neither act can be explained away, because both cost the actors something. **A conquered population's ledger can be read, where all else fails, from what its members paid to be elsewhere.**

And the metropole's own ledger shows the gradient crossing in thirty years, bought rather than compelled. The villages that burned forty-eight schools in 1873 were sending nine boys in ten by 1905; the fee was abolished in 1900, the conscription law took about one man in twenty, and literacy acquired a market value. **The journey from the expensive pole to the cheap one is not primarily a function of time; it is a function of whether the order can afford to fill the benefit column instead of merely raising the cost of defection.** A rich modernising state can do in a generation what a poor conquest cannot do in a century — and the corollary, which the remaining modules will have to face, is that where

such a state does *not* fill a particular population's benefit column, the omission was affordable and was therefore a choice.

❧

A note on sources. Kaneko Kentarō's passage is quoted exactly in the original, in the form in which it is reproduced in the Japanese literature on convict labour in Hokkaidō, and the English is this study's own. It is attributed there to his report on the inspection of the three Hokkaidō prefectures (北海道三県巡視復命書) of 1885, made as a secretary of the Council of State at the direction of Itō Hirobumi. Two cautions attach and both are material. First, this study has not seen the report itself; the passage circulates in Japanese chiefly through its quotation in Yoshimura Akira's documentary novel *Akai hito* and in accounts derived from it, and while the wording is consistent across the versions consulted, they differ in orthography — one gives it in the original mixed script, another in a modernised rendering — and one of them elides part of the sentence. It should be collated against the report before it is relied upon further. Second, it is the only exact quotation in this module, and it is quoted rather than paraphrased because the argument turns on the fact that the calculation was written down in those terms by a serving official.

The physical regime on the Central Road — the pairing of a serious with a lesser offender, the four-kilogramme leg weight and the connecting chain, the locked huts, the posted watchman, the single log used as a pillow and struck to wake the row, the beating of recaptured escapers, and the burial of the dead at the roadside with a chain laid as a marker giving the sites the name 鎖塚 — is drawn from the Japanese museum and local-history literature, principally the Abashiri Prison Museum's published material and the accounts derived from it. The figure of 211 dead on the Abashiri–Kamikoshi section is from the same source and was given as a range in an earlier module, where the competing figures are set out. The *takobeya* material — the system's origin as a successor to convict labour, its span to about 1930 and its formal prohibition by occupation directive in 1946, the recruitment practice known as 蛸釣り, the fourteen- to sixteen-hour day, the hierarchy of overseers and the use of violence including killing as discipline, and the etymology of the name — follows the standard Japanese encyclopedia entries and the popular historical literature; the popular sources are vivid and are used here only for particulars on which they agree with the reference works.

The Meiji school enrolment series (28.1 per cent in 1873, 41.06 in 1880, 49.62 in 1885, 48.93 in 1890, 61.24 in 1895, 81.48 in 1900, and 97.72 for boys in 1905) is from the tables published from the Ministry of Education's annual reports and reproduced in the educational-history literature; the abolition of elementary tuition fees in 1900 and the extension of compulsory schooling to six years in 1907 are from the Ministry's own published history. The conscription exemptions, the substitution fee of two hundred and seventy yen and the estimate that about five per cent of eligible men were taken even at the time of the Sino-Japanese War are from the Japanese reference literature on the law. The Hokkaidō land-reform figures — 347,572 *chō* purchased from 65,750 landlords, about half of it absentee-owned, some sixty thousand tenant households, and the four-*chō* resident ceiling against one elsewhere — are from the *Shin Hokkaidō shi* as reproduced in Japanese municipal history and the standard reference entries on the reform.

The Shiraoi episode of 1856, the Tsuishikari removals and mortality, the salmon and deer prohibitions and the 1923 and 1933 land-holding figures have all been set out with their sources in earlier modules of this study and are not re-sourced here. The characterisation of Article 2 of the 1899 Act as a floor as well as a cage is this study's own reading and is not, so far as I have found, made in the literature; it rests on the text of the article and should be treated as an argument rather than as a reported finding.

Finally, the asymmetry in this module is the sharpest in the study so far and runs in an unfamiliar direction. The convicts' regime is documented in detail, by the state, because the state chained them and counted them. The takobeya men are documented much more thinly, because a private contractor keeps no returns. And the Ainu household's ledger is barely documented at all, because nothing was done to it that generated a file: there is no conviction register for a closed river.

MODULE 6

TEN THOUSAND YEN FOR A COALFIELD

Module 6 — extraction, 1869–1930: what the island was made to yield, in what form, by whose hands, and the transactions by which a public investment became four private fortunes

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

What there was to take

An extractive colony takes a surplus off a population. A settler colony takes the ground and puts a new population on it. Hokkaidō is the second kind, and the consequence for this module is that the usual instrument — a tax, a tithe, a labour levy on the conquered — is missing entirely.

There was never an Ainu head tax. There was no tribute, no corvée, no quota of men, no requisition of villages. Sixteen thousand people cannot be taxed into funding an island, and the Meiji state did not try. What it did instead was to take four things: the fish that had been the Ainu's food, the coal under the ground, the timber and the soil, and — most valuable of the four and least visible — the *title* to all of it, which it then converted into private fortunes by sale at prices it set itself.

So the question this module has to answer is not how much was squeezed out of the conquered. It is: an island was made to generate a very large amount of wealth, and the wealth ended up in specific hands. Whose, by what instrument, and at whose expense?

The fish

The first and for a long time the largest export was herring, and it had been running before the conquest.

The Japan Sea coast from Oshima up to Sōya was, in the spring, the site of one of the great fisheries of the world. Shoals came inshore to spawn in such numbers that the water turned milky — 群来, *kuki*, the run — and the crews hauled fixed nets by hand and sang while they did it, which is where the Soran-bushi comes from. The peak year was 1897, when something approaching a million tonnes came ashore. In 1905 the herring catch sold for a little over 8.11 million yen against a coal output worth about 7 million: at the beginning of the twentieth century, the single largest industry on Japan's frontier island was a fish.

But the significant thing is not the tonnage. It is what most of the fish was for. Only a minority was eaten. The bulk was boiled, pressed and dried into 鯡粕, herring cake, and shipped south in the *kitamaebune* coasters as a high-nitrogen commercial fertiliser — to Hokuriku, the Inland Sea, Osaka and Ōmi, where it went onto the fields of rapeseed, indigo and above all cotton. By the late nineteenth century Hokkaidō was by a wide margin Japan's most important source of commercial fertiliser.

Read that supply chain, because it is the whole colonial relation in one line. The nitrogen of the northern sea was taken out of the water at Rumoi and put into the soil of the Kinai to grow the raw material of the textile industry that earned Japan's foreign exchange. Hokkaidō was not merely a place Japan settled. It was the input side of Japanese industrialisation, and the fertiliser trade drew the money economy deep into the villages of the main islands as it went. The extraction here does not appear as a colonial revenue item at all. It appears as an unusually cheap agricultural input in the accounts of a mainland cotton grower.

Three further points belong with it.

The fishery was where the Ainu remained, and it was where they had always been. The contract-post system had made them a wage labour force by the eighteenth century, and after the Restoration the operators lost their privileges and the fishery was opened to anyone who cared to take part — which meant the Ainu now competed for wages in the industry that had once been organised around them. They kept the sea because the state's prohibitions had been written for the rivers.

The fishery made the island's first great fortunes and they were Japanese. The *nishin goten*, the herring mansions, still stand along that coast — the Onō house on Yagishiri, five hundred and sixty-nine square metres of ebony and cypress with its own storehouse, built by a family that arrived from Ishikawa about 1884 running a general store and a post office and grew rich the moment it acquired fishing rights. The phrase in circulation on that coast was that one haul of the net was worth a thousand *ryō*, ten thousand *ryō*.

And it was liquidated. Catches fell steadily through the first half of the twentieth century under intensive fishing with improving technology, the run was last seen between Yoichi and Otaru in 1954, and the inshore fishery ended in 1957 and 1958. The recent recovery, at something under ten thousand tonnes a year, is under one per cent of the peak. Boiling the catch also consumed enormous quantities of firewood, and the coast was deforested to make the fertiliser. **A resource that had fed a people for centuries under a use regime with no mechanism for accumulation was exhausted in ninety years under one that did.**

The coal, and the transaction

The second yield was coal, and it produced the single most instructive document in this study's economic record.

Coal had been sought on the island since the American treaty of 1854 created a demand for bunkering. The Colonisation

Office opened the Horonai mine and built the Horonai railway to carry the coal to Otaru — the third railway in Japan — using convict labour from the Sorachi prison to cut the seams. This was a public investment, on a substantial scale, out of the ten-year programme that had committed ten million yen against a national budget of about fifty.

In 1881 the director of that office, Kuroda Kiyotaka, proposed to sell the whole of the Colonisation Office's assets — into which some fourteen million yen of treasury money had been put — to a syndicate under Godai Tomoatsu, a businessman from Kuroda's own Satsuma, for three hundred and eighty thousand yen, interest-free, over thirty years. The proposal became public. The scandal was large enough to bring down a faction of the government: the sale was cancelled, Ōkuma Shigenobu and his allies were driven out, and the crisis was settled by the imperial promise of a national assembly. That episode is remembered in Japanese history as the political crisis of 1881, and it is usually told as a constitutional story. It is also a story about what happens when the price of a colonial asset is set in the same room as the man buying it.

Eight years later the sale went through in a smaller form and without a scandal.

In November 1889 the Hokkaidō Colliery and Railway Company was founded on a capital of 6.5 million yen, with Tokugawa Yoshiakira and Shibusawa Eiichi among its promoters and Hori Motoi — lately of the second section of the Hokkaidō Government — as its first president. In December it received the Horonai mine and the Horonai and Ikushunbetsu railways from the government. The price was about 360,000 yen: some 100,000 for the mine and about 248,000 for the railway.

Set that beside the comparable transaction. When the government sold the Miike coal mine to Mitsui, it got 4.55 million yen. Horonai and its railways went for a thirteenth of that. The disparity was raised in the Diet and became a political weapon; the defences offered were geological — that Horonai's

workable reserve was only about 1.37 million tonnes of a 4.85-million-tonne deposit, and that Hokkaidō could not yield the differential rent a Kyūshū field could.

And the company did not merely receive the assets cheaply. It received, on top of them, an interest subsidy on its railway capital, exemption from national taxes, and the right to be lent convicts.

That last privilege should be read slowly. A private company, capitalised by the men who were building Japanese capitalism, took over a mine built with public money at a fraction of its cost, and was granted by statute the use of prisoners of the state to work it. The convict who died at Horonai and the convict who died on the Central Road died under the same authority, but by 1890 one of them was dying for a shareholder.

Afterwards the pattern completed itself. The company became the Hokkaidō Colliery and Railway Company Limited in 1893 and, when the railways were nationalised in 1906, the Hokkaidō Colliery and Steamship Company; it entered the Mitsui orbit and stayed there until the dissolution of the *zaibatsu*. When a national survey in 1912 established the quality of the Ishikari field, Mitsui, Mitsubishi and Sumitomo moved in across the island — Mitsui's Taiheiyō and Mitsubishi's Yūbetsu into the Kushiro field — and output passed five million tonnes a year by 1924. It was paid for in the usual currency: 423 dead in a single accident at Yūbari in 1914.

The instrument of extraction here is not a tax and not a rent. It is a discounted transfer of a public asset to private hands, in which the public bore the cost of building it, the convicts bore the cost of working it, and the appreciation accrued to the buyer. That mechanism has no colonial vocabulary attached to it and would not be picked up by any instrument this method has so far used, because it looks, on the face of the documents, like ordinary industrial policy.

The land, and how an absentee got rich on ground he never saw

The third and largest transfer was the land itself, and the mechanism deserves setting out step by step, because "great estates for absentee landlords" is a description of an outcome and not of a machine.

The machine had four moves.

One. The 1872 regulations declared all land the state's and provided for its sale with a certificate. The state thereby acquired, at no cost, the entire stock.

Two. The 1897 Act provided that disposals should not be put to competition, and that land taken for reclamation, stock-raising or planting should be leased free and granted free on proof of success — with the area limit set not in the statute but by imperial ordinance, at five hundred *chō* for reclamation, six hundred and sixty-six for planting and eight hundred and thirty-three for pasture. Over a million hectares went out under it.

Three. The applicant with capital did not clear five hundred *chō* himself. He recruited tenants — households arriving from Tōhoku and Hokuriku with nothing — settled them on the ground, and had them do the clearing. The clearing was the consideration the state required. The tenants performed it; the applicant satisfied the inspection; the freehold vested in the applicant.

Four. He then drew rent from the improved land in perpetuity, from Tokyo.

The value created at step three was created by the labour of people who ended step four as tenants of the man whose title their labour had perfected. **A homestead statute with no residence requirement and a lax inspection is not a mechanism for making smallholders; it is a mechanism for having a frontier cleared at the clearers' own expense and then handing the cleared land to whoever filed the application.**

The scale is measurable from the far end. When the land reform was carried through between 1947 and 1952, the Hokkaidō purchase came to 347,572 *chō* taken from 65,750 landlords — 68,954 *chō* of paddy and 278,618 of dry field — with about half of the ground identified at the outset as owned by men who did not live on it and some sixty thousand tenant households expected to be freed. The resident-landlord ceiling was set at four *chō* in Hokkaidō against one *chō* in the other prefectures, because the scale was simply different. Hokkaidō ended the Meiji era as the most heavily tenanted farming region in Japan.

And the largest recipients were not even commercial. In 1889 two million hectares were set aside as Imperial Household land and fifty thousand went to the peerage association farms — the Uryū farm of Duke Sanjō Sanetomi and the Hachisuka among them, which grew to some four thousand hectares under cultivation. A court aristocracy that had been landless in the Tokugawa settlement was endowed, at a stroke, with estates on the frontier.

What was destroyed to make the yield

Extraction is a ledger with two sides and the second is usually left out.

The deer were commercially hunted to collapse: more than half a million taken between 1873 and 1878 under government sponsorship, canned in the same plants as the salmon and shipped to France and elsewhere. The salmon rivers were closed to the people who had lived off them, in 1878, 1879 and 1883, on the stated ground of conservation, while commercial fishing continued. The herring were fished to extinction as a commercial run by 1957. The coastal forest was cut to fire the fertiliser cauldrons. And the interior was cleared by convicts and by tenants.

Set the two sides beside each other and the arithmetic is unambiguous. The state removed a subsistence and installed an extraction on the same resources — deer, salmon, the river, the forest — and the extraction exhausted them inside a century. That is the sense in which the framework's phrase about a conquest converting a self-running order into an expensive one has a physical rather than merely a fiscal meaning here. The order that ran cheaply on the salmon run did not exhaust the salmon run.

Who was paid, and who was not

Assemble the beneficiaries and the shape of the extraction becomes visible.

The Ainu received five *chō* per household under the 1899 Act, unmortgageable, confiscable if unbroken, with the relief attached to it charged against their own common property under Article 8 — property whose administration was vested in the governor by Article 10, who was empowered by Article 11 to dispose of it and to refuse its division among those entitled. Of the granted land, about nineteen per cent was still being farmed by its grantee in 1923.

The tenants received a wage in kind, a debt and, for a minority, eventually a farm.

The convicts and the *takobeya* men received their keep and, some hundreds of them, a roadside grave.

The herring operators received the mansions on the Japan Sea coast.

Hori Motoi, Shibusawa Eiichi and their successors received a coalfield and two railways for about 360,000 yen and the loan of the state's prisoners to work them, and their company passed into Mitsui.

The peerage received fifty thousand hectares and the Imperial Household two million.

And the mainland cotton grower received cheap nitrogen, which is the only item on this list that reached an ordinary person in the metropole — and it is worth naming, because it is the reason the arrangement had a constituency.

Reading extraction against the framework

Where the object is the ground rather than the surplus, the primary extraction is the title, and it is taken once and forever rather than annually. A tax has to be levied every year by an official who can be resisted, evaded or overthrown; the transfer of freehold happens once, is irreversible without a revolution, and thereafter generates income in perpetuity without any further administrative act. Hokkaidō shows the pure form: no tax on the conquered at any point, and a total transfer of the island. **The framework should therefore stop treating the extraction module as an inventory of levies and treat it as a question about which asset was converted, when, and in whose favour** — because in the settler case there may be no levy at all and the transfer will already have been described, in the settlement module, as though it were merely a legal formality.

The discounted sale of a state-built asset is an extraction technique and the corpus has no card for it. Horonai was built with public money and convict labour and sold for about a thirteenth of what a comparable Kyūshū field fetched, with tax exemption, an interest subsidy and the right to borrow prisoners attached. The 1881 attempt — fourteen million yen of assets for three hundred and eighty thousand — failed only because it became public. **Where a colonial administration both builds the infrastructure and sets the price at which it is sold, the extraction occurs at the moment of sale and is invisible in every subsequent account, because from that day forward the asset generates ordinary private profits on ordinary private**

books. This is worth carrying into any case where a development agency is wound up: the winding-up is where the money is.

And the value taken was created by the people who ended up with the least of it, under a statute that required exactly that. The 1897 Act's consideration was "success" — clearance — and the applicant who could recruit tenants had them perform the consideration and kept the freehold. The tenant cleared the ground that made the landlord's title good and then paid rent on it. **A free-grant statute with an improvement condition and no residence requirement converts the labour of the landless into the capital of the applicant, and does so under the language of homesteading.** It is the single most efficient extraction on this island, it fell on Japanese rather than on Ainu, and it took the American occupation to unwind it.

❧

A note on sources. This module quotes nothing exactly and the reason is worth stating: the transactions it describes are recorded in ledgers, prospectuses and prefectural statistics rather than in declarations, and the argument turns on the figures rather than on anybody's wording.

The herring material — the peak of about one million tonnes in 1897; the 1905 comparison of 8.11 million yen of herring sales against roughly 7 million yen of coal output; the production of 鰊粕 and its shipment by *kitamaebune* to Hokuriku, the Inland Sea, Osaka and Ōmi as fertiliser for rapeseed, indigo and cotton; the deforestation caused by boiling the catch; the last run in 1954 and the end of the inshore fishery in 1957–58; and the current recovery to something under ten thousand tonnes — is from the Hokkaidō Development Bureau's published history, the Japanese reference literature, and the fisheries journalism, which agree. The characterisation of the fishery as proto-industrial, the loss of the contract operators' privileges after 1868, the opening of the fishery to all comers, the expansion from about 1870 to 1900, Hokkaidō's position as Japan's leading source of commercial fertiliser and the role of overfishing in the collapse follow David L. Howell's study of the fishery. The Onō house on

Yagishiri — its arrival from Ishikawa about 1884, its general store and post office, its acquisition of fishing rights, and its floor area of 569 square metres — is from the Japanese business press reporting on the town of Haboro's holding of the property.

The coal and railway material is from the Japanese reference literature and the Hokkaidō prefectural government's published history of the coalfields, supplemented by Ōba Yoshio's published economic history of the company. The figures given are: the attempted disposal of 1881, some fourteen million yen of assets offered to Godai Tomoatsu for 380,000 yen interest-free over thirty years, cancelled amid the political crisis of that year; the founding of the company in November 1889 on 6.5 million yen with Tokugawa Yoshiakira and Shibusawa Eiichi among the promoters and Hori Motoi as president; the transfer of the Horonai mine and the Horonai and Ikushunbetsu railways in December 1889 for about 360,000 yen, given by Ōba as approximately 100,000 for the mine and 248,000 for the railway and rounded to 34–36万円 in different accounts; the comparison with the 4.55 million yen paid by Mitsui for Miike; the grants of interest subsidy, national tax exemption and the right to be lent convicts; the reserve figures of 4.85 million tonnes with 1.37 million workable; the renamings of 1893 and 1906 and the passage into the Mitsui group; the entry of the three *zaibatsu* after the survey of 1912; output above five million tonnes by 1924; and 423 dead at Yūbari in 1914. Sources differ on whether the payment for the mine should be given as 34, 36 or about 360,000 yen in total, and the range is reported rather than reconciled.

The land figures — the 1872 declaration, the 1897 Act's non-competition and free-grant provisions, the imperial ordinance limits of 500, 666 and 833 *chō*, the million-plus hectares disposed of, the 1889 allocations to the Imperial Household and the peerage farms, and the 1947–52 land reform totals of 347,572 *chō* from 65,750 landlords — were sourced in Modules 2 and 5 of this study and are not re-sourced here. The four-move account of how a tenant's clearance perfected an applicant's

title is this study's own reconstruction from the terms of the Act and the tenancy outcome; it is an argument rather than a reported finding, and a historian of Hokkaidō tenancy would be able to say how often it took precisely that form.

The reading of Hokkaidō as Japan's first colony, and of its administration as having relied from the outset on the labour of marginalised groups, follows the recent work of Tessa Morris-Suzuki and of Pia Jolliffe; the argument that Meiji settler colonialism in Hokkaidō was modelled on British and American precedents and rationalised in Malthusian terms follows the recent Cambridge study of Japanese settler colonialism.

One gap should be flagged rather than papered over. This module gives the destination of the herring and the coal but not a full account of the island's balance of payments with the metropole: how much capital flowed north as subsidy against how much value flowed south as product, year by year, is a calculation the Japanese economic-history literature has done and that this study has not been able to reach. Until it is consulted, the claim that Hokkaidō was a net contributor to Japanese industrialisation should be treated as strongly indicated by the fertiliser and coal trades rather than as demonstrated.

MODULE 7

THEY TOLD HER, AND SHE PRINTED IT

Module 7 — information, 1869–1930: an order with a working censor that never pointed it at the colony, a scandal that succeeded, a testimony that reached London and moved nothing, and the two things that actually were suppressed

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The apparatus existed

Most cases in this collection have to begin by explaining an absence: no censor was found because none was bought, and the thinness of the record turned out to measure how little the metropolitan public would have punished. Hokkaidō begins differently, and that is what makes it useful. **Meiji Japan had a censorship apparatus, an aggressive one, staffed and statutory and in continuous use — and it was almost never pointed at the colony.**

The instruments are easy to list. The Publication Ordinance of 1869 subjected printed matter to prior review. A press decree of October 1873 required approval and forbade material inciting unrest. In June 1875 came the Libel Law and the Press Ordinance together, criminalising criticism of government policy, of officials and of the Emperor; the second was severe enough to be nicknamed the newspaper abolition law, because it let the Home Minister suspend or close a paper. The Publication Ordinance of September 1875 moved the machinery formally to

the Home Ministry with power to confiscate. Further ordinances in 1883 and 1887 extended the offences to false rumour and to disturbing the public tranquillity. Editors went to prison; papers were shut; the radical *Hyōron Shinbun* was forced out of existence. In 1883 the government began publishing a newspaper of its own. In 1925 the Peace Preservation Law arrived, two months after universal manhood suffrage.

Now ask the question this module exists to ask. What was all of that for?

Read the dates against the political calendar and the answer is unambiguous. 1874: the memorial demanding an elected assembly. 1875: the Libel Law and the Press Ordinance. The Freedom and People's Rights Movement is the target named in every account, and the offence in the statute is criticism of the government. The censor was built to protect the oligarchy from the domestic opposition — from lawyers, journalists and disaffected shizoku in Tokyo, Osaka and Tosa arguing about constitutions.

It was not built to hide Hokkaidō, and it was not used to. There is no index of forbidden matter about the island, no prosecution of anyone for writing about the Ainu, no suppressed report on the convict roads. The most powerful censorship machine in nineteenth-century East Asia sat in the Home Ministry for fifty years with the file on its own colony essentially empty.

A regime's suppression map is a map of what its audience would punish, and the Meiji map shows a government terrified of Japanese liberals and indifferent to what anyone said about Ezo.

The scandal that worked

Then there is the case where information did move something, and it should be set out carefully, because it is the exception that defines the rule.

In 1881 Kuroda Kiyotaka proposed to sell the entire assets of the Colonisation Office — some fourteen million yen of public investment — to a syndicate under a fellow Satsuma man for three hundred and eighty thousand yen, interest-free over thirty years. It became public. The press and the People's Rights movement seized it, the sale was cancelled, Ōkuma Shigenobu and his allies were expelled from the government, and the crisis was closed by the imperial promise of a national assembly. It is one of the most consequential political events of the Meiji period.

Nothing in that episode concerned the Ainu, the convicts, or anybody on the island. It concerned fourteen million yen of Japanese taxpayers' money going to a Satsuma man at a discount. The information reached a metropolitan audience, the audience was outraged, and the outrage changed government policy inside months.

So this is not an order whose public could not be moved. It is an order whose public could be moved *very fast*, by the right input, through a press that was demonstrably capable of forcing a cabinet to retreat. Which makes the silence on everything else a measurement rather than a technical failure. **Where a scandal about money succeeds and a scandal about people never starts, the constraint is not the information system. It is the threshold.**

The exposure that came from inside the prison

The second case where information moved something is the more surprising, and it inverts the usual pattern completely.

The convict system on Hokkaidō was, from about 1894, wound down. Forced labour of the kind that had built the Central Road was progressively abandoned; the prisons were renamed in 1903; a Prison Law in 1908 put the treatment of prisoners on a statutory footing. The Japanese accounts are consistent about

the mechanism, and it is worth stating plainly: **the political prisoners published.**

The Hokkaidō prisons held a large number of men convicted over the Satsuma rising and the Freedom and People's Rights agitation — Sorachi in particular held mostly political prisoners. These were educated men with connections to newspapers and to a national opposition movement, and when they were released they described in public what had been done to them and to the men beside them. Criticism gathered. From about 1894 the forced labour was progressively stopped.

Two officials, in the same period, said the same thing in the state's own voice. Kitagaki Kunimichi, the fourth governor of Hokkaidō, wrote in March 1893 that local communities feared escaped convicts more than bears or wolves, and argued against using convicts as the core labour force for the railways. In 1894 the Home Minister, Inoue Kaoru, wrote in an opinion paper on Hokkaidō that sending large numbers of convicts north was not merely of no benefit to the island's settlement but positively harmful, and that the first priority should be railways rather than more roads. Behind Inoue's objection stood a market fact: private contractors had begun importing cheap labour from Honshū on terms close to the convicts', and the state's monopoly on brutal labour had lost its point.

Set this beside the Rhodesian and West African cases and the contrast is sharp. There the exposures that worked came from missionaries, humanitarian societies and metropolitan journalists — outsiders looking in. Here it came from the prisoners themselves, and it worked because of who the prisoners were. **A coerced population that is drawn from the metropole's own political class carries the one asset no conquered population has: standing with the audience that matters.** The convicts of Sorachi could be heard in Tokyo because they were Tokyo's, and because a national movement already existed that wanted to hear them.

And note precisely what was reformed. The abuse of Japanese convicts ended. Nothing whatever changed for the Ainu in those years — the poisoned-arrow prohibition came in 1889, the deer ban after it, the Protection Act in 1899 — and nothing changed for the *takobeya* men, whose regime succeeded the convicts' on the same works, under private contractors, and ran until 1946. **The reform reached exactly as far as the constituency, and stopped.**

They told her, and she printed it

Which brings us to the module's title, and to the cleanest demonstration in this study of what the empty column means.

In 1878 Isabella Bird — already a celebrated travel writer, later the first woman elected to the Royal Geographical Society — travelled some four and a half thousand kilometres through northern Japan, with official permission, and stayed among the Ainu at Biratori. Her account was published in London in 1880 by John Murray, in two volumes of some eight hundred pages, under a title that advertised its contents: *Unbeaten Tracks in Japan: An Account of Travels in the Interior Including Visits to the Aborigines of Yezo and the Shrines of Nikkō and Isé*. It went into an abridged popular edition in 1885. It sold, and it is still in print.

The Ainu she stayed with talked to her. The recent scholarship on the book is emphatic on this point: they spoke about the strained relations between themselves and the Japanese, about their resentment of the prohibitions on their customs, about the history between the two peoples. They were not silent objects of observation. They understood who she was, they used her, and they told a foreign writer with a London publisher what was being done to them, at the exact moment — 1878 — when the salmon prohibitions were beginning.

It was printed. In English, in London, in a bestseller, by an author with the ear of the British public, seven years after the

family register law and twenty-one years before the Protection Act.

And nothing happened.

Two reasons, and both belong in the framework rather than in a moral judgement.

The first is that the witness did not understand what she was being told. Bird records an Ainu man crouched before a hut, showing no signs of intelligence, and identifies him as the missing link — having by then already spent days at Biratori. The scholarship's reading is that where she might have read a ruined body as the mark of what colonisation had done, she read it as evidence of the inferiority of the people it had been done to. She had faith in the British imperial idea of civilisation and approved of Japan's modernisation along European lines, and her sympathy for the Ainu, which was real, was fitted inside a framework in which their decline was natural rather than caused. **A testimony transmitted through a witness who holds the destroyer's theory of the destroyed arrives at the metropole already answered.**

The second is that the British public had no threshold here to cross. This was not their empire, their taxes, or their soldiers. There was no British constituency with either the standing or the appetite to be scandalised by Japanese conduct in Yezo, and the one British interest that was actively engaged — the Anglican mission — was, as the last module showed, the very thing that provoked the Japanese state into building Ainu schools of its own so as not to be seen letting Englishmen do it.

Which produces the finding. **The metropolitan seam in this case did not need to be held shut, because there were two metropoles and neither one was listening: the Japanese public was absorbed in a constitutional quarrel, and the foreign public that did receive the testimony had no reason to act on it and a ready theory for filing it away.**

What actually was suppressed

The column is not entirely empty, and the two things in it are precisely the two the framework would predict.

The language was suppressed, and that is the real information policy of this conquest. The Announcement of 1871 instructed the Ainu to learn spoken and written Japanese. The separate schools from 1901 taught four years against the Wajin six, excluded science and geography, and did not teach Ainu language or Ainu culture at all. A people whose entire record — law, genealogy, religion, history — existed only in recitation was put through an institution designed to replace the medium of recitation with the language of the people taking their land. No book had to be banned, because there were no books. **Where the conquered are oral, suppressing the language is not one censorship measure among others; it is the whole of the censorship, and it destroys the archive and the future testimony in a single operation.** That is why Chiri Yukie's thirteen songs, written down in a borrowed alphabet by a nineteen-year-old in 1922, matter as much as they do: they are what survived a censorship that never had to censor anything.

And there was one suppression at the metropolitan end, in the academy, which failed. The koropokkur theory — that a small people had held the island before the Ainu, and that the Ainu were therefore incomers with a conqueror's claim like anyone else's — ran for twenty-five years and more than two hundred papers, and was beaten in public by Koganei's craniometry in 1894. Nobody suppressed the refutation. Southern Rhodesia had to keep its archaeologists quiet about Great Zimbabwe into the 1970s; Japan did not, because the load was being carried by a different story — that the Ainu were dying, that the dying was natural, and that the civilised must look after them on the way out. **A story about a people's future is unfalsifiable in a way that a story about their**

past is not, and an order that has one does not need a censor for the other.

The tell, read forward

One last observation, because it bears on how this study will read the twentieth century.

The framework's rule is that surveillance is the tell of a belief that never took. Run it over Hokkaidō and the reading is peculiar. There was no surveillance of the Ainu worth the name — no pass law, no registration certificate, no political police, no informers, no prosecutions — and by the framework's usual logic that would indicate an order whose belief had taken.

The safer reading is the one this study has been building toward. **Surveillance is the tell of a belief that never took in a population whose compliance the order requires.** Where the order does not require the population's compliance — because it is too small to threaten anything, because its subsistence has been removed by statute, and because the labour and the settlers are being imported — there will be neither belief nor surveillance, and the record will look like consent. The absence of a police file is not evidence that people agreed. On this island it is evidence that nobody needed them to.

Reading information against the framework

The presence of a working censor that is never aimed at the colony is stronger evidence than its absence. In the European cases the empty metropolitan column could always be explained away as a technical limitation — the distance, the slowness of despatches, the cost of an apparatus nobody had built. Japan removes that defence. The machinery existed, it was in constant use, it prosecuted and closed newspapers, and it was pointed at domestic liberals for fifty years while the file on

Hokkaidō stayed empty. **When a regime demonstrably owns a censor and declines to use it on a subject, it has told you that the subject was not a risk** — and the reason it was not a risk is that the public did not care, which is the empty column's thesis proved on a case that could have refuted it.

A metropolitan constituency will reform the treatment of its own and stop at the boundary of its own. The convicts were the exception in this study to almost every rule: coerced, lethally, and then relieved, because they were drawn from the metropole's political class, could publish on release, and had a national movement ready to amplify them. That reform arrived in the mid-1890s and touched nothing else. The *takobeya* succeeded the chain gang on the same works and ran another half-century; the Ainu prohibitions tightened in the same decade. **Where a colony's coerced populations differ in their standing with the metropolitan audience, exposure will relieve the one with standing and leave the others in place — and the relief will be recorded as a general humanitarian advance.**

A colonised people can testify, in person, to a metropolitan writer with a major publisher, and be printed, and change nothing. This is the sharpest form of the empty column in the corpus, because it removes every alibi at once: the facts were not hidden, the conquered were not silent, the transmission was not blocked, and the book was a success. What defeated the testimony was that it passed through a witness who held the theory that explained the suffering away, into a public that had no stake in acting. **The seam did not have to be held. It was crossed, in a bestseller, and the far end was empty.**

❧

A note on sources. This module quotes nothing exactly, and one absence should be stated at the outset: Isabella Bird's *Unbeaten Tracks in Japan*

(John Murray, 1880) is out of copyright and this study has not read it. What is reported above about its contents — the Ainu at Biratori speaking of their relations with the Japanese and of their resentment of the prohibitions, and Bird's identification of an Ainu man as the "missing link" after days in the village — is taken from the scholarly literature about the book, principally the article on the rhetoric of colonial progress in *Victorian Literature and Culture* and the associated Japanese and Anglophone commentary. The single phrase in quotation marks in that literature is not reproduced here. Anyone building further on this module's central claim should read Bird directly, and should also consult Ozawa Shizen's work on the differences between the first and popular editions, since what was cut from the abridgement bears directly on what the British public actually received.

The Meiji censorship legislation — the Publication Ordinance of 1869, the press decree of October 1873, the Libel Law and Press Ordinance of June 1875 promulgated as Council of State notifications, the Publication Ordinance of September 1875 transferring the machinery to the Home Ministry, the ordinances of 1883 and 1887, the closure of the *Hyōron Shinbun*, the government's own newspaper from 1883, and the Peace Preservation Law of 1925 — is drawn from the standard Japanese reference literature and the English-language surveys of censorship in imperial Japan, which agree on the sequence. The attribution of the 1875 laws to the government's reaction against the Freedom and People's Rights Movement is the settled view in those sources. This study has not read the ordinances themselves, and the assertion that the apparatus was never turned on Hokkaidō rests on the absence of any such use in the sources consulted rather than on an exhaustive search of the Home Ministry's records; it is offered as a strong negative finding and is open to correction by anyone who has worked in those files.

The winding down of convict labour is from the Japanese reference literature and the Abashiri Prison Museum's published history: the criticism of the treatment as inhumane and the progressive abandonment of forced labour from about 1894, the renaming of the *shūchikan* from 1903, and the Prison Law of 1908. The specific mechanism — that released political prisoners publicised their treatment — is stated in the Japanese-language teaching material cited for it and is consistent with the composition of the prison population reported in earlier modules; it deserves better sourcing than this study has given it.

Kitagaki Kunimichi's memorandum of March 1893 and Inoue Kaoru's opinion paper on Hokkaidō of 1894, including Inoue's priority for railways over roads and the observation that private contractors had begun supplying comparable cheap labour, are reported from the Japanese reference literature on the convict roads; neither document has been read here and neither is quoted.

The 1881 Colonisation Office disposal scandal was sourced in Module 6. The koropokkur controversy and Koganei's 1894 refutation were sourced in Module 3. The school regulations of 1901 were sourced in Module 4.

Finally, the shape of the evidence in this module is worth naming, because it is unusual. Almost every other module in this study has had to report that the record was made by one side. This one reports something different: that the other side spoke, on the record, to a foreign writer, in 1878 — and that the resulting book is a well-known text in two languages which historians have read for a century and a half. The Ainu of Biratori were not unheard. They were heard, printed, and filed.

MODULE 8

INTEREST-FREE, OVER THIRTY YEARS

Module 8 — elite coordination and the default, 1869–1935: the factions that fought over this island, the one quarrel that brought down a government, and the single proposition none of them ever put in issue

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The question the module has to answer

Below a certain line, people are held. Above it, they are not — and yet the arrangement holds anyway, which is the harder thing to explain.

The explanation the framework offers is that it is not held by agreement. Men who dislike each other, compete for the same assets and would cheerfully see one another ruined nonetheless defend the same arrangement, because each is defending his own position within it and the positions are cut from the same cloth. Nobody has to coordinate. The defence is a by-product, and it appears wherever the alternative to the arrangement is worse for every man who could plausibly overturn it than the arrangement is. It is a tendency and not a law: some hierarchies manage it and some do not, and the difference is usually whether the quarrels can be settled inside the frame.

Hokkaidō is a good place to test that, because the quarrelling was unusually visible. Between 1869 and 1935 the island's government was rebuilt four times, a scandal over its assets brought down a faction of the cabinet and forced the promise of

a constitution, its farmers organised against its landlords, and one of its largest landowners publicly renounced his estate. This module asks what all that conflict touched, and what it did not.

Who was in the arrangement

The men above the line fall into six groups, and they did not like each other.

There was the **Satsuma clique**, which ran the place. Kuroda Kiyotaka took the surrender at Hakodate and then directed the Colonisation Office; Nagayama Takeshirō, also of Satsuma, commanded the farmer-soldiers and became the second governor; Hori Motoi, of the same province, sat in the second section of the Hokkaidō Government and then, remarkably, became president of the private company to which that government sold its coalfield. The northern island was, for a generation, a Satsuma appanage inside a state the Satsuma and Chōshū men jointly owned.

There were the **rival domain factions** in the central government — Chōshū men, and Tosa men like Iwamura Michitoshi, who became the first governor of the Hokkaidō Government in 1886 — who resented the appanage and periodically took it apart.

There was the **Finance Ministry**, whose deflationary policy under Matsukata in the 1880s starved the island's administration of money and was itself a principal cause of the reorganisations.

There was **metropolitan capital**: Godai Tomoatsu of Osaka, Iwasaki Yatarō of Mitsubishi, Shibusawa Eiichi, and in time Mitsui, Mitsubishi and Sumitomo, competing for the mines, the shipping and the land.

There was the **local commercial interest at Hakodate**, old money from the treaty-port trade, with its own claim on the island's business and no wish to see it handed to Osaka.

And there was the **court aristocracy**, endowed in 1889 with fifty thousand hectares of peerage-association farms and the Imperial Household with two million, converting a landless Kyoto nobility into absentee proprietors on a frontier most of them never saw.

Beneath these, and not of them, were the settler farmers — by 1925 more than half of Hokkaidō's cultivated land was worked by tenants — and beneath everything, the Ainu.

The quarrel that broke a government

In 1881 the Colonisation Office's ten-year programme was ending and the office was expected to be wound up. Kuroda proposed to sell its accumulated assets — ships, factories, farms, warehouses, mines, into which something between fourteen and twenty million yen of public money had gone — to two purchasers: a company formed by the Colonisation Office's own senior officials, and the Kansai Trading Company of Godai Tomoatsu, of Satsuma, Kuroda's own province. The price was a little over three hundred and eighty-seven thousand yen, and the terms were 無利息三十年賦 — interest-free, over thirty years.

The Council of State approved it. Then it appeared in the newspapers, and the government nearly fell. The People's Rights movement had its proof that the domain cliques were converting public property to private use; Ōkuma Shigenobu was expelled from the government along with a wave of officials associated with him; the sale was cancelled; and the crisis was closed by the imperial promise of a national assembly. It is the pivot of Meiji constitutional history.

Now read what it actually was.

The standard reference literature is explicit that behind the political quarrel lay a commercial one: a conflict over the Hokkaidō interest between Godai on one side and Iwasaki Yatarō's Mitsubishi and the local capitalists of Hakodate on the other. Ōkuma, whose leak is the usual explanation for how the

terms reached the press, was the minister associated with Mitsubishi. The Japanese scholarship has gone back over the question of who leaked and by what route, and the answer is contested; what is not contested is that the men who ensured the public learned of the sale had a direct financial interest in the sale not happening.

So the one occasion on which information about this colony moved a metropolitan public was not an exposure of a wrong. It was **one faction of the elite using the public as an instrument against another faction, in a fight over who would receive the assets.** The public supplied the outrage; the outrage was real; and the grievance being ventilated was that the wrong men were getting the island cheaply.

Which is why the sequel matters more than the scandal. In December 1889 the Horonai colliery and the Horonai and Ikushunbetsu railways — the core of the same estate — were transferred to the Hokkaidō Colliery and Railway Company for about three hundred and sixty thousand yen, against the four and a half million Mitsui had paid for Miike, with an interest subsidy, exemption from national taxes and the right to be lent convicts attached. The company's first president was Hori Motoi, lately of the Hokkaidō Government. Shibusawa Eiichi was among its promoters. It passed in time into Mitsui.

Eight years, a different consortium, a comparable discount, no scandal. **What the crisis of 1881 corrected was the distribution. It did not touch the practice, and the practice was the thing.**

Four governments, one policy

The same test can be run on the administrative history, which looks turbulent and was not.

The Colonisation Office was abolished on the eighth of February 1882 and replaced by three prefectures — Hakodate, Sapporo and Nemuro — with a Hokkaidō Business Management

Bureau added under the Ministry of Agriculture and Commerce the following year. The three prefectures and the bureau could not keep step with one another, the Matsukata deflation cut the revenue, and the arrangement became an obstacle to the settlement it was meant to serve. On the twenty-sixth of January 1886 all four were abolished and the Hokkaidō Government was created, under a director rather than a governor, answerable to the Prime Minister rather than to the Home Minister. It lasted until 1947.

Iwamura Michitoshi, the first director, was a Tosa man replacing a Satsuma system, and he changed the method comprehensively: he abandoned the Colonisation Office's direct-protection approach — state-funded shizoku settlement — in favour of indirect protection, which meant building the infrastructure and inviting capital. He issued the Hokkaidō Land Disposal Regulations of 1886, which lifted the hundred-thousand-*tsubo* ceiling so that large blocks could go to major private undertakings; he sold off the government factories; he pushed roads, railways and harbours. The peerage farms and the great absentee estates follow directly from his tenure, as does the 1897 Act.

Four reorganisations in seventeen years, a change of controlling faction, and a complete change of settlement method. And through all of it the proposition of 1872 — that all land whatsoever belonged to the state, and would be sold with a certificate — was never once revisited, questioned, litigated or debated. The factions fought over who should administer the disposal and who should receive the proceeds. **Not one of them, at any point, raised the question of whether the island had been the state's to dispose of.**

That is the default, and it is more visible here than in any other case in this collection, because here we can watch a genuine and bitter elite war being fought at close range for two decades directly on top of the founding fiction without anybody scratching it.

The seat that was never made

The reason the default was so easy to hold is worth stating plainly, and it is the structural finding of the module.

There was no Ainu elite.

The Matsumae domain had manufactured village headmen on the template of the Japanese peasant village, and the Meiji administration inherited the practice and continued it: officials appointed 土人取締 — supervisors of the natives — drawing on Ainu leading men *and on Wajin notables*, and appointed representatives to handle the granted lands. But note what that is. It is a supervisory post in the conqueror's administration, conferred at the conqueror's pleasure, held as often by a Japanese as by an Ainu, and carrying no revenue, no jurisdiction, no armed following and no independent standing whatever. It is not an elite. It is a clerkship with a racial adjective.

The consequence runs through everything. In Buganda the conqueror found chiefs with land and courts, made them landlords under the 1900 Agreement, and thereby bought a native stratum with a positive stake in the arrangement — a stratum that then defended it for fifty years. In Southern Rhodesia the settler order refused to form Africans and so manufactured a thwarted near-elite, which came back with degrees and no chairs to sit in and ended the colony. Hokkaidō did neither, because there was nothing to co-opt and nothing worth thwarting: sixteen thousand people, no apex, no revenue machinery, no seat.

So the arrangement above the line was, from beginning to end, **an arrangement among Japanese about an island, in which the island's original inhabitants had no representative at any table** — not as clients, not as collaborators, not as adversaries. When the 1899 Act was drafted it was drafted by Japanese, argued by Japanese, and defeated twice by Japanese before it passed: a protection bill

was put to the Fifth Imperial Diet in December 1893 and lapsed; another to the Eighth in March 1895 and lapsed; the Act passed in 1899. Ainu had petitioned for such a law and sent representatives to press for it — which is a real fact and belongs on the page — but they were petitioners at a door, not parties in the room.

The individuals who did get inside got in one at a time and through the schools. Benkai Takojirō of Otoshibe, who joined the search parties after the Hakkōda disaster of 1902, petitioned the Army Minister in May of that year to raise an Ainu unit — asking for the one thing that would have made him unambiguously a subject. Chiri Mashiho took a professorship at Hokkaidō University and used it against the men who had sponsored him. Iboshi Hokuto wrote poetry and died at twenty-seven. Batchelor Yaeko was baptised by an English missionary, travelled to England, and published a book of verse in 1931 that carried the resistance to Japanese contempt in its lines. **A counter-elite did emerge, and it emerged from the classrooms rather than from any chiefly stratum, which is exactly what the formation module predicted and exactly why it arrived two generations late and without institutional purchase.**

The one real fault line among the settlers, and what it did not do

There was, however, a genuine conflict of interest among the Japanese on the island, and it is the closest thing to a crack the arrangement produced.

The 1897 Act had given up to five hundred *chō* to applicants who did not have to live on the land, and the clearing was done by tenants. By 1925 the tenanted proportion of Hokkaidō's cultivated land passed fifty per cent, the highest in the country. The first tenant dispute broke out in 1920 on imperial-household land at Kagura village and spread to the Hachisuka farm at Uryū

— the peerage-association estate founded in 1889 by a duke and a former daimyō. Disputes at Isono farm in Furano and elsewhere followed. Kobayashi Takiji, the proletarian novelist, took a Hokkaidō dispute for the subject of *The Absentee Landlord*.

And in 1922 Arishima Takeo, the novelist, whose family held a farm at Kaributo, gave it to the men who worked it.

Consider what that establishes. A member of the propertied class understood the arrangement well enough to renounce his part in it and did so publicly, at cost, in a manner that was widely reported. And the arrangement did not move an inch. The tenancy rate went on rising; the estates stayed intact; it took the American occupation, twenty-five years later and after a lost war, to break them — 347,572 *chō* bought from 65,750 landlords.

A default does not require unanimity and cannot be broken by defection. One landlord standing outside it is a moral fact and a structural nullity, because the arrangement was never held by his agreement in the first place; it was held by the aggregate position of everyone who had not renounced.

The second thing the tenant disputes establish is the sharper one. The Hokkaidō tenant had a real grievance against a real absentee, organised against him, and sometimes won. He did not, at any point, make common cause with the Ainu. Nothing in the record suggests it occurred to anyone. And the reason is not malice: **a tenant's grievance is about his position in the arrangement, not about the arrangement.** He wanted the rent reduced and the tenure secured — that is, he wanted a better place inside a distribution founded on the declaration of 1872, which had also given him his plot. Improving his position meant defending the frame that produced it. That is the default operating at the bottom of the elite rather than the top, and it is why the framework calls the defence a by-product.

Reading elite coordination against the framework

The default is measured by what elite conflict leaves untouched, and this case gives an unusually clean measurement. Four administrative reconstructions, a change of controlling faction, a scandal that expelled a leading minister and forced the promise of a constitution, decades of tenant organisation, and one public renunciation by a landowner — and across all of it the founding proposition that the island was state land to dispose of was never put in issue by anybody. **Where a study can watch a serious elite war fought directly over the assets of a conquest, the propositions that survive the war intact are the load-bearing ones**, and they can be identified with more confidence than by any other method, because they have been tested by people with every incentive to attack them and no incentive to attack that.

An exposure that works is usually a faction's instrument, and this refines the information module. The 1881 scandal was not the metropolitan conscience awakening; it was Mitsubishi and the Hakodate merchants against Godai and Satsuma, with the public supplying the volume. That is why it succeeded where the Ainu testimony printed in London in 1880 failed: there was a powerful interested party willing to operate the machinery. **The question to ask of any colonial scandal is not whether the facts were shocking but which elite faction stood to gain from their circulation** — and where the answer is none, the facts can be true, published, and inert, which is the empty column.

Where there is no native elite to co-opt, there is also nobody with standing to raise the question, and the order gets a silence it did not have to buy. The corpus has treated the absence of a co-optable stratum as a cost — the conqueror must build and pay for his own administration. Hokkaidō shows the compensating benefit, and it is large: **a conquered people**

with no elite has no representative inside the arrangement, and therefore generates no faction whose positional interest is served by raising its grievances. Buganda's chiefs defended the settlement and were therefore also able, on occasion, to make demands within it. The Ainu had no one whose own position depended on speaking for them, and so nothing was ever demanded on their behalf by anybody with anything to trade.

And the counter-elite, when it came, was a by-product of formation and had no institutional purchase. Chiri Mashiho's chair, Iboshi Hokuto's poems, Batchelor Yaeko's verse and Benkai Takojirō's petition are individual entries into a Japanese structure, not a stratum with a position to defend. **Where a conquest destroys a people's elite without building a replacement, the counter-elite that eventually appears will be composed of individuals formed by the conqueror's own schools, will arrive two generations late, and will speak in the conqueror's language to the conqueror's public** — which is the condition of Ainu politics in the twentieth century and the subject of the modules to come.

❧

A note on sources. The only Japanese phrase quoted exactly in this module is the term of the 1881 sale, 無利息三十年賦 — interest-free, over thirty years — which appears in that form in the standard Japanese reference literature on the affair; the sale figure is given there as a little over 387,000 yen and elsewhere as 380,000 or approximately 390,000 yen, and the public investment written off against it is variously given as fourteen, fifteen to twenty, or about twenty million yen. Both are reported here as ranges. The administrative term 土人取締 is likewise quoted as it appears in the Japanese scholarship.

The account of the 1881 affair — Kuroda's proposal, the two purchasers (a company formed by senior Colonisation Office officials and Godai Tomoatsu's Kansai trading company), the approval by the Council of State, the exposure in the press, the cancellation, the expulsion of Ōkuma

Shigenobu and associated officials, and the imperial promise of a national assembly — follows the standard Japanese encyclopedia entries, which are in agreement. The commercial background — the conflict over the Hokkaidō interest between Godai on one side and Iwasaki Yatarō's Mitsubishi and the Hakodate local capitalists on the other, and Ōkuma's association with Mitsubishi — is from the *Britannica Kokusai Dai-hyakkajiten* entry as reproduced in Kotobank. The identity of the leaker is disputed in the Japanese scholarship; Miyaji Hidetoshi's re-examination in *Keizaigaku Kenkyū* (Kyushu University, 2014) is cited in the reference literature and has not been read here. This module's characterisation of the affair as a factional instrument rests on the commercial background as reported and should be treated as an interpretation, not as a finding of those sources.

The administrative sequence — the abolition of the Colonisation Office on 8 February 1882 by Council of State proclamation, the establishment of Hakodate, Sapporo and Nemuro prefectures, the addition of the Hokkaidō Business Management Bureau under the Ministry of Agriculture and Commerce in 1883, the failure of the four bodies to keep step, the effect of the Matsukata deflation, and the creation of the Hokkaidō Government on 26 January 1886 under a director answerable to the Prime Minister — is from the Japanese reference literature. Iwamura Michitoshi's origin in Tosa, his shift from direct to indirect protection, his Land Disposal Regulations of 1886 raising the hundred-thousand-*tsubo* ceiling, and his policy of attracting capital are from the Hokkaidō prefectural government's published history of its settlement policy.

The appointment of Ainu and Wajin notables as 土人取締, and the resulting de facto ethnic administration, is from the study of the boundaries of Ainu identity in modern Hokkaidō published in the *Japan Border Review*, which also supplies the Colonisation Office's directive of 4 November 1878 standardising the term 旧土人. The failed protection bills of the Fifth Imperial Diet in December 1893 and the Eighth in March 1895 are from the chronology published by the Ainu Association of Hokkaidō. Benkai Takojirō's petition of May 1902 was sourced in Module 4.

The biographical particulars of Iboshi Hokuto (1902–1929) and Batchelor Yaeko — her baptism by John Batchelor in 1891, her travel to England in 1909, and her collection *Wakaki utari ni* of 1931 — are from the Ainu guide published by the Hokkaidō tourism organisation; neither her verse nor Iboshi's is quoted here.

The tenancy material — the tenanted proportion passing fifty per cent by 1925, the first dispute at Kagura village on imperial-household land in 1920, its spread to the Hachisuka farm at Uryū, the liberation of Arishima Takeo's farm at Kaributo in 1922, and Kobayashi Takiji's *Fuzai jinushi* — is from the Japanese reference literature on the settlement of Hokkaidō and on tenancy disputes. Arishima's motives and the terms on which he transferred the farm are not examined here and are a substantial subject in their own right.

One caution about the shape of this module. Everything above is a reconstruction of interests from outcomes and from reference-literature summaries of the political history; this study has not read the Kuroda, Iwamura or Hori papers, nor the Diet record of the 1893, 1895 and 1899 bills. The claim that no faction ever questioned the 1872 declaration is a negative one, and negative claims of that kind are only as strong as the search behind them. It is offered as a finding on the sources consulted and is open to correction by anyone who has worked in the Diet proceedings or the prefectural archives.

MODULE 9

UNTIL SUCH TIME IN THE FUTURE

Module 9 — plurality or foreclosure, 1874–1930: where Japanese liberty came from, the clause that excluded this island from it by name, the eleven-year campaign that got it back, and the people for whom no clause was ever needed

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

Why this module is not about rhetoric

The question is not whether an order says it respects rights. Every order says that. The question is whether the three monopolies — organised violence, wealth and resources, trusted information — are held by more than one hand at a time, because where they are gathered into one hand there is no liberty whatever the documents say, and where they are genuinely divided, liberty tends to accumulate as a residue.

The mechanism of that accumulation is the useful part, and it is unedifying. Rights are not usually conferred by conviction. They are left behind by factions arming themselves against each other: a group that fears what a rival will do with the state demands a limit on what the state may do, the limit is written down in general terms because general terms are the only ones the rival will accept, and afterwards the general terms are available to people the original claimants never had in mind. Due process, free expression and the franchise are the sediment

of that process. They are what one faction extracted from another and could not confine to itself.

Meiji Japan is an unusually clean specimen, because the extraction is datable and the sediment is visible — and because this island is where the extraction happened, and was then written out of the result by name.

Where the liberty came from

In January 1874 Itagaki Taisuke and others submitted a memorial calling for an elected assembly. The men who signed it were not democrats by temperament. They were the losing side of a quarrel inside the oligarchy — Tosa and Hizen men, shut out of an apparatus that Satsuma and Chōshū were operating between them — and the argument they made was that arbitrary power exercised by a clique was intolerable, which is precisely the argument a man makes about a clique he is not in.

The state's answer was the machinery described in the information module: the Libel Law and the Press Ordinance of June 1875, the Home Ministry's confiscation power that September, editors imprisoned and papers closed. That is what foreclosure looks like when it is still working — the faction in possession using the state's monopolies to silence the faction out of possession.

Then, in 1881, the excluded faction found a weapon, and the weapon was Hokkaidō.

The proposal to sell the Colonisation Office's assets — some fourteen to twenty million yen of public investment — to a company of the office's own officials and to Godai Tomoatsu's Kansai trading company, for a little over three hundred and eighty-seven thousand yen, interest-free over thirty years, reached the press. The People's Rights movement had what it needed: documentary proof that the domain cliques were converting the public estate into private property. The sale was cancelled. Ōkuma Shigenobu and his associates were expelled.

And the government closed the crisis by issuing the imperial rescript promising a national assembly.

Hold the sequence, because it is the module's foundation. **The constitutional promise that produced the Meiji Constitution of 1889 and the first Diet of 1890 was extracted from the Japanese state by a factional quarrel over the disposal of this island's assets.** Not by a moral awakening, not by pressure from below, and not by anything to do with the people living on the island. By one set of men with capital and connections using a scandal to damage another set, and by a government that bought its way out of the crisis with a constitution.

That is the plurality mechanism, functioning exactly as the framework describes. It is also, as the next section shows, entirely compatible with the place where it happened receiving nothing.

The clause

The Constitution was promulgated on the eleventh of February 1889, and the House of Representatives Election Law with it. Article 111 of that law reads:

> 北海道沖縄県及小笠原島ニ於テハ将来一般ノ地方制度ヲ準行スルノ時ニ至ルマテ此ノ法律ヲ施行セス

In Hokkaidō, Okinawa Prefecture and the Ogasawara Islands, this law shall not be enforced until such time in the future as the general local system shall be applied.

One sentence, three territories, no franchise. The island whose assets had produced the constitutional promise was excluded from the assembly that promise created, by name, in the same statute, on the same day.

And note the form of the exclusion, because it is the same form this study has met twice already. Nothing is denied in

principle. The right is not withheld; it is *deferred* — postponed to a future condition, the application of the general local system, whose timing is in the gift of the party doing the postponing. This is the identical construction as 旧土人, former native, a people defined as on their way to somewhere they have not arrived; and as the 1899 Act's *isshi dōjin*, the impartial benevolence that places the conquered inside the moral community and simultaneously earlier in it. **The deferral clause is the characteristic instrument of an order that has adopted universalist language and does not intend universal application: it concedes the principle absolutely and controls the calendar.**

What was the island in the meantime? Not a prefecture. The Hokkaidō Government established in 1886 was an organ of the central state whose head was a *chōkan*, a director, not an elected or even a prefectural governor, and who answered to the Prime Minister rather than to the Home Minister like every other regional administration. It allocated the land by administrative discretion — the 1897 Act expressly provided that disposals should not be put to competition — it ran the police, and it held the purse. Violence, wealth and the administration of everything else, in a single office, answerable upward and to nothing on the island. That is foreclosure in the technical sense, and it lasted thirty-two years.

The eleven-year campaign

The settlers noticed, and this is the part of the module that shows the mechanism running a second time on a smaller scale.

From about 1891 a movement developed on the island demanding the election of members to the House of Representatives and the opening of a Hokkaidō assembly. The grievance was stated in the terms one would expect: that the island stood in a position of inequality and discrimination with respect to political participation and self-government. These

were Japanese settlers — men with land, or hoping for it — who had crossed a strait to a place where the government could dispose of a million hectares without an auction, and who wanted a say in it.

The government conceded slowly and in pieces. In May 1897 it promulgated three systems — the Hokkaidō ward system for Sapporo, Hakodate and Otaru, a first-class town and village system, and a second-class town and village system — which opened municipal self-government first. The Japanese municipal histories describe these frankly: they were expedients for districts held to have a low level of civic development and no fiscal independence, strongly 官治 in character — governed by the officials — and the autonomy they conferred was restricted. In March 1900 the House of Representatives Election Law was amended to admit Hokkaidō, with the three wards voting from the general election of 1902 and the rural districts from that of 1904. In April 1901 the Hokkaidō Assembly Law and the Hokkaidō Local Expenses Law took effect, and the first assembly election was held on the tenth of August that year.

Okinawa's clause was lifted by the amendment published on the twenty-eighth of March 1900. The Sakishima islands waited for conscription until 1902.

So the settler campaign took roughly eleven years from organisation to the franchise, and about thirteen to a local assembly, and it worked. **A population inside the metropolitan legal community, holding property, able to organise, publish and petition in the ruling language, extracted its share of the monopolies from a state that had explicitly excluded it — which is the framework's proposition about contestability demonstrated on a colony rather than in a metropole.**

And then they used it. The Hokkaidō tenant disputes begin in 1920 at Kagura and spread to the Hachisuka farm; the Hokkaidō federation of the Japan Farmers' Union was formed in 1925; Kobayashi Takiji took the Isono farm dispute of 1926 for his

novel about absentee landlords. Rents were reduced and tenures secured in some places. The liberty that arrived in 1901 was not decorative. It was used against the largest landowners in the country, by their own tenants, with some success.

Note what it was not used for.

Inside and outside

The Ainu were never mentioned in any of this, and the reason is the finding.

There was no clause excluding them. There could not be: they had been entered in the family registers as commoners in 1871, for reasons of international title that had nothing to do with them, and they were therefore subjects of the Emperor with the same formal standing as a farmer from Aomori. When Article 111 was lifted in 1900 it was lifted for everyone on the island.

But the franchise was qualified by property. The House of Representatives Election Law of 1889 gave the vote to men paying fifteen yen or more in direct national taxes. Now recall what an Ainu household had been given by the statute of 1899: five *chō*, which could not be sold, mortgaged, pledged or encumbered, and of which about nineteen per cent was still being farmed by its grantee in 1923. A holding that cannot be borrowed against, on land often unsuited to agriculture, worked by a household with no capital and no experience of ploughing, does not generate fifteen yen of direct national tax. **The exclusion was accomplished by the settlement, twenty-six years earlier, and no electoral provision was required.**

This is the third appearance in this study of the same machine, and it should now be stated as a general form. The 1897 Act named nobody and offered five hundred *chō* to any subject; the Ainu could not meet the conditions, which the same government's fishing and hunting statutes had removed. The 1899 Act granted ownership and then removed every power that makes ownership useful. The 1889 franchise named nobody and

required a tax payment that the 1899 grant made impossible. **Where an order has adopted universal legal categories, exclusion migrates out of the statute book and into the qualifying conditions — and the qualifying conditions are set by other statutes, in other years, under other headings, by officials who never have to mention the excluded group at all.** No one has to defend it, because no one has to state it. It is the most durable form of foreclosure available to a state that has committed itself to equality on paper, and it leaves a documentary record in which nothing discriminatory can be found.

Universal manhood suffrage arrived in March 1925 and removed the tax qualification. Two months later the Peace Preservation Law was passed. What Ainu participation in electoral politics amounted to after 1925 is a question this study has not been able to answer from the sources reached, and the honest thing is to say so and mark it as work outstanding.

What can be said is what happened when the Ainu did organise. Independent bodies appeared in the 1920s — an Ainu association of like-minded people formed in 1926, Iboshi Hokuto lecturing to a Tokyo Ainu study society in 1925. In 1930 the Hokkaidō Ainu Association was founded, and the standard reference description of it is worth reading carefully: it was organised **at the initiative of the Hokkaidō Government**, on the premise of assimilation, for the purpose of raising the members' social position, and it excluded the Ainu of Asahikawa and some other places. It published a journal, *Ezo no hikari*, through which it argued for ethnic self-awareness, and its activity stalled under the wartime regime. It was rebuilt as an incorporated association in 1946 and became the body that has carried Ainu politics ever since.

That is a real organisation and it did real things, and its 1946 successor led the campaign that eventually replaced the 1899 Act. But its founding was sponsored by the administration whose statutes were the grievance. **An excluded population**

permitted to organise under the sponsorship of the office that excluded it has not acquired a share of a monopoly; it has acquired a channel, and the difference is that a channel can be closed by the party that opened it.

One episode from the same year shows what the courts were worth. In March 1930 the government applied to the Obihiro district court to void a sale of granted land between an Ainu owner and a Japanese purchaser, on the ground that it was contrary to the purpose of the Protection Act. The court dismissed the application. The one legal protection that had been drafted in the Ainu's favour — the inalienability of Article 2 — was tested in a courtroom and did not hold.

Reading plurality against the framework

Liberty was generated in this case by a quarrel over this island and then withheld from it, which shows that the sediment does not settle where the friction occurs. The rescript promising a national assembly was the price of closing a scandal about the Colonisation Office's assets; the election law that followed excluded the island by name in Article 111. **The residue of a factional struggle accrues to the factions and to those already inside the legal community they are fighting within — not to the territory or the people whose affairs occasioned the struggle.** A study that finds liberties emerging in a metropole should therefore ask, separately and specifically, whether the periphery that produced the occasion received any of them, and the default expectation should be that it did not.

Foreclosure and plurality can run simultaneously in one polity, separated by a jurisdictional line rather than by a date. Between 1890 and 1901 the Japanese state contained a Diet, an organised opposition, a party press, elections and a constitutional court of public opinion — and, in Hokkaidō, an administration holding violence, land allocation and revenue in

one office answerable only upward, disposing of a million hectares without auction. Both were the same state in the same years. **The corpus should stop treating plurality and foreclosure as descriptions of orders and start treating them as descriptions of positions within orders**, because the same government can be genuinely contestable for one population and wholly foreclosed for another, and the rhetoric will be identical in both because it is the same rhetoric.

Where universal categories have been adopted, the exclusion moves into the qualifying conditions and becomes undocumentable. The Ainu were commoners from 1871, were never barred from the franchise, and could not vote, because the tax threshold met the statute that had made them landholders who could not raise money. **The signature to look for is not a discriminatory clause but a chain of separately innocent instruments whose intersection is empty for one group** — and the chain will usually cross departments and decades, which is why it survives inspection.

And a permitted organisation is not a share. The 1930 association was founded at the administration's own initiative, on the administration's premise of assimilation, with some communities left out. It did useful work and it became something else after 1946. But the test of contestability is whether a group can compel the holders of a monopoly to bargain, and a body convened by the office it might have bargained with starts from the wrong side of that question. **A conquered population's first organisation is worth examining for who called the meeting.**

❧

A note on sources. Article 111 of the House of Representatives Election Law of 1889 is quoted exactly in the original from its reproduction in the Japan Center for Asian Historical Records' published commentary on the road to universal suffrage; the English rendering is this study's own. It is

the only exact quotation in this module. The same source supplies the fifteen-yen direct national tax qualification, the amendment of 28 March 1900 that admitted Okinawa, and the parliamentary exchange of February 1899 in which the Home Ministry official Ichiki Kitokurō explained the government's reasoning on Okinawa; that explanation has not been read here and is not characterised.

The Hokkaidō franchise sequence — the exclusion of Hokkaidō and Okinawa from the prefectural assembly regulations of 1878, the municipal codes of 1888 and the election law of 1889; the movement from about 1891 demanding representation and an assembly; the promulgation in May 1897 of the Hokkaidō ward system and the first- and second-class town and village systems, with their enforcement in October 1899, July 1900 and April 1902 respectively; the amendment of the election law in March 1900 with the three wards voting from 1902 and the rural districts from 1904; and the Hokkaidō Assembly Law and Hokkaidō Local Expenses Law of 1901 with the first assembly election on 10 August 1901 — is from the published centenary history of the town of Kamifurano and the chronologies of the Hokkaidō prefectural assembly and the Ainu indigenous-rights research project, which agree. The characterisation of the 1897 systems as 官治 in character and as expedients for districts held to lack civic development and fiscal independence is that source's own and is reported as such.

Itagaki's memorial of January 1874, the press legislation of 1875, the 1881 disposal affair and the imperial rescript promising a national assembly were sourced in Modules 7 and 8 and are not re-sourced here; the reading of the constitutional promise as extracted by an excluded faction is this study's own and is an interpretation, not a finding of those sources.

The Hokkaidō Ainu Association material — its founding in 1930 at the initiative of the Hokkaidō Government, its premise of assimilation and its stated purpose of raising members' social position, its exclusion of the Ainu of Asahikawa and elsewhere, its journal *Ezo no hikari*, the stalling of its activity under the wartime regime, its reconstitution as an incorporated association in 1946, and its renaming to the Hokkaidō Utari Association in 1960 or 1961 and back in 2009 — is from the standard Japanese encyclopedia entry and the association's own published history, which differ by a year on the renaming and

are reported accordingly. The Ainu association of like-minded people formed in 1926, Iboshi Hokuto's lecture to the second Tokyo Ainu study society meeting in 1925, the Hokkaidō Government's model rules for mutual-aid associations of July 1924 placing protection commissioners in municipalities with ten or more Ainu households, and the government's application of March 1930 to the Obihiro district court to void a sale of granted land and its dismissal, are from the chronology compiled by the *Mori Kawa Umi* Ainu indigenous-rights project. That chronology is a compiled secondary source with its own citations, which have not been followed; the Obihiro case in particular deserves to be traced to the law reports before it is relied upon further.

Two gaps are flagged rather than filled. First, this study has not established what Ainu electoral participation amounted to after the removal of the tax qualification in 1925 — whether Ainu voted, in what numbers, or stood for any office — and the argument above stops at 1925 for that reason. Second, the claim that the property qualification rather than any electoral provision is what excluded Ainu voters before 1925 is an inference from the tax threshold and the terms of the 1899 grant; no source consulted states it in those terms, and it should be treated as this study's reasoning rather than as reported fact.

MODULE 10

A GIFT OF THE GODS

Module 10 — change and collapse, 1945–1997: the only crack in the floor, what the conqueror's categories could see and what they could not, the five years the window stayed open, and the order that did not end but naturalised

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

What did not happen

There was no Ainu rising. Not in 1899, not in 1925, not in 1945, not since.

The last armed resistance on this island was in 1789, eighty years before the annexation and against a different Japanese government. Across the whole span of the Meiji, Taishō and early Shōwa periods — the dispossession of the rivers, the closing of the hunt, the taking of the language, the five *chō* against five hundred — the record contains petitions, associations, poems, a scholar's dictionary, a nineteen-year-old's notebook, and no rebellion.

The framework predicts this and the prediction is not a comfortable one. A rising against an intact floor loses, with a regularity approaching a law, because a durable order is an armed settlement and the unarmed cannot alter it. Here the arithmetic was even more decisive than usual: sixteen thousand people in 1873 against a hundred and eleven thousand and rising, no apex to coordinate a rising, no elite with a following, no arms, and by 1900 no food supply independent of the wage.

The absence of an Ainu revolt is not evidence of consent, and it is not evidence of docility. It is what the structure produced.

So the question this module asks is the one the framework insists on: **when the floor finally cracked — and it did crack, completely — what came through the gap?**

The crack

It cracked in the fourth of the four ways: conquest by a rival elite.

On the fifteenth of August 1945 the Empire of Japan surrendered, and an American army occupied the country. This is the only moment in the island's modern history at which the apparatus described in the preceding nine modules lost control of its own floor of force. Every other pressure — the tenant disputes, the People's Rights movement, the Ainu associations, the convicts' publications — had worked inside the settlement. In 1945 the settlement itself was at the disposal of somebody else.

And the occupier did not govern directly. SCAP ruled through the existing Japanese bureaucracy, which is the decision that shaped everything: the ministries stayed, the officials stayed, and reform was executed by the same civil service that had administered the empire. What the occupation did change, it changed comprehensively. A new constitution. The dissolution of the peerage. Women enfranchised. The *zaibatsu* broken up, or begun to be. The Home Ministry abolished. Hokkaidō made an ordinary prefecture at last, with an elected governor from 1947, sixty-one years after the Hokkaidō Government was created and forty-six after Article 111 was lifted.

And the land reform.

What the reform could see

Between 1947 and 1952 the occupation broke the Hokkaidō estates. The state compulsorily purchased the whole of every absentee landlord's tenanted land and everything a resident landlord held above four *chō* — against one *chō* in the other prefectures, because the scale here was different — and sold it to the men working it. The Hokkaidō purchase came to 347,572 *chō* from 65,750 landlords, about half of it absentee-owned, freeing something like sixty thousand tenant households.

That is a real emancipation and it should be said plainly. The absentee system built by the 1897 Act — five hundred *chō* free to an applicant who never came, cleared by tenants whose labour perfected his title — was destroyed in five years by an external power, having survived every domestic challenge for half a century. Arishima Takeo's gesture of 1922 changed nothing; the Farmers' Union won reductions here and there; the Diet did not touch it. It took a lost war.

Now the other half of the ledger, which is the finding.

The Hokkaidō Ainu Association was reconstituted in 1946 and its first substantial action was to petition against the land reform. Its argument was that the granted lands held under the 1899 Act arose from a special statute and should be excluded from the Land Reform Act. It made the case repeatedly, to the prefecture in May 1946 and through the prefecture to the government that October. The application was refused.

From 1948 the granted lands were bought up. By 1951 the purchase came to roughly 1,970 *chō* of farmland and 516 *chō* of pasture — about thirty-four per cent of the total granted under the Protection Act. Ainu owners went to court and lost, in a judgment which characterised the granted land as the private benefit of former natives of inferior living capacity.

Follow the mechanism, because nobody intended this and that is the point. The reform's operative category was the landlord: a person who owns agricultural land that somebody else farms. An

Ainu household holding five *chō* it could not sell or mortgage, on ground often unfit for cultivation, which it had leased out to a Japanese neighbour under the governor's permission because it had no plough, no capital and no experience — that household satisfied the definition exactly. Only about nineteen per cent of granted land was being farmed by its grantee in 1923. **The great emancipating reform of the occupation, aimed at feudal landlordism and executed with real force, caught the dispossessed in the definition of the dispossessors, and took a third of what was left of them.**

The gain on the other side was small and real. When the Niikappu imperial stud farm was released — the estate for which Ainu had been moved off their ground decades earlier — twenty-two households were able to resettle where they had come from.

And the Hokkaidō Former Aborigines Protection Act was not repealed. It was amended: articles four, five and six deleted, article 2-2 deleted, the governor's title updated, the ministerial approval clause struck out. The statute itself — the five *chō*, the confiscation for non-cultivation, the common property administered by the governor — stayed on the books. An occupation that wrote a new constitution, dissolved a peerage, abolished a ministry and enfranchised half the population left the 1899 Act standing. **It outlived the Empire of Japan by fifty-two years, and was finally repealed in 1997.**

The reason is not malice and is not obscure. **A crack opened by an external conqueror releases only the pressures the conqueror's own categories can see.** The American reformers arrived with a theory of what was wrong with Japan — militarism, monopoly capital, feudal landlordism, an unaccountable state — and every item on that list was addressed with vigour. Indigenous dispossession was not on the list. There was no box on the form marked *aboriginal title*, no officer whose brief it was, and, one may note without needing to be unkind about it, no obvious appetite in Washington in 1947

for a doctrine of indigenous land rights whose application would not have stopped at the Pacific.

The five years

The window was open from 1945 to about 1950, and it was closed from outside, on a schedule set in Washington, for reasons that had nothing to do with Japan.

The reverse course began in 1947 as the Cold War hardened: the emphasis moved from demilitarisation and democratisation to reconstruction and rearmament, and earlier reforms were relaxed and in some cases partly undone. The dismantling of the *zaibatsu* was abandoned. Public-sector workers lost the right to strike. Then the communist victory in China in 1949 and the outbreak of the Korean War in June 1950 completed the turn: the Red Purge of 1950, the reversal of the political purges, a police reserve that became the Self-Defense Forces, the security treaty of 1952, and an American procurement boom that put the Japanese economy back on its feet.

Yoshida Shigeru, prime minister through most of it, is reported in the scholarship as having characterised the Korean War as a gift of the gods.

Read that with attention, because it is the pivot of the module and of the whole postwar arc. **The occupying power repriced the country it had conquered, overnight, on the basis of a war in a third country, and the effect on the domestic settlement was to stop dismantling it.** The men who had run the empire's economy were needed to run the Cold War's arsenal; the bureaucracy that had administered Hokkaidō was needed to administer reconstruction; and the reforming impulse, which had five years earlier been prepared to break the largest fortunes in Japan, was withdrawn.

For the Ainu the arithmetic is stark. Their case had to be made inside a five-year window, in a language and to an authority they had no access to, against a reform programme

that was already taking their land under a category built for someone else, and while the only body organised to speak for them was one the Hokkaidō Government itself had convened in 1930. They did make it — the petitions of 1946 are on the record — and it failed, and then the window shut. **A subject population whose liberation depends on a conqueror's window is at the mercy of the conqueror's other interests, and those interests are not on the island.**

The office that was never abolished

Then, in the middle of the reverse course, the machine was restored under a new name.

The Hokkaidō Development Act was promulgated on the first of May 1950 and the Hokkaidō Development Agency was established on the first of June as an external bureau of the Prime Minister's Office, headed by a minister of state; the Hokkaidō Development Bureau followed on the first of July 1951 as its executive arm on the ground, taking over the direct works of the transport, agriculture and construction ministries. From 1952 the comprehensive development plans began: power, roads, harbours, rivers, and increased food production for a country short of food and absorbing repatriates from a dissolved empire.

No other region of Japan has ever had this. Hokkaidō alone has been administered, continuously, by a dedicated national development apparatus, and the line is unbroken: the Colonisation Office of 1869, the three prefectures and a bureau of 1882, the Hokkaidō Government of 1886, the Hokkaidō Development Agency of 1950, and — after the ministerial reorganisation of January 2001 — the Hokkaidō Bureau of the Ministry of Land, Infrastructure and Transport, with the Development Bureau as its regional arm. It is there today.

The institution that took the island has never once been abolished. It has been renamed four times in a hundred and fifty-seven years.

What naturalisation looks like

And Hokkaidō did not rupture, secede, decolonise or become a question. It became Japan.

The reason is structural and worth stating without sentiment. A colony ends when the metropole's will to hold it empties — that is the framework's expectation and it is what happened from Algiers to Salisbury. It requires a metropole that can withdraw and a colonised majority that remains. Hokkaidō had neither. The metropole was twenty kilometres across a strait and had annexed the territory outright rather than administering it as a possession; the settlers were not a minority ruling a majority but the overwhelming bulk of the population, four and a half million by mid-century against a few tens of thousands of Ainu; and there was no separate legal status left to dissolve, Article 111 having been lifted in 1900 and the prefecture normalised in 1947. **There was nobody for the island to be given back to and nowhere for anyone to go.**

So what happened instead is the gradient completing. A person in Sapporo goes to work, pays tax, services a mortgage, votes in a prefectural election, watches the same television as a person in Fukuoka, and understands the arrangement above him as the ordinary shape of a country rather than as an arrangement. The force that laid the floor has retreated to the margins where a modern state keeps it. The grid the settlers were planted on is simply the street plan. The shrine at Maruyama, whose three deities were made in Tokyo in a fortnight in 1869 and carried north in a box, is the great shrine of Hokkaidō, and families visit it at New Year without any sense that it arrived by ship. **That the origin was built does not make the belief a lie; it makes it a thing that was built and**

then became real — and by any measure this study can apply, in Hokkaidō it became real.

The Ainu case, meanwhile, moved into the only channel left, which was the courts and the Diet, and it moved slowly. Kayano Shigeru became the first Ainu member of the Diet in 1994. The Protection Act was repealed in 1997 and replaced by a law for the promotion of Ainu culture. Both houses resolved in 2008 that the Ainu should be recognised as an indigenous people. The Act of 2019 wrote that recognition into statute and eased some restrictions on traditional fishing. Upopoy, the national museum, opened at Shiraoi in 2020 — at the place where the bear-sending was performed before the Emperor in 1881 while the same government was suppressing it in the villages.

The dam was already built

The closing image is a lawsuit, and it says everything the module has been building toward.

In 1978 the government planned two dams in the Saru river watershed, in the country around Nibutani, one of the principal remaining centres of Ainu life. The Hokkaidō Development Bureau — the institutional descendant of the Colonisation Office — proceeded with a dam. Two Ainu landowners, Kaizawa Tadashi and Kayano Shigeru, refused to consent to the expropriation of their riparian land. Their petitions were rejected. In 1993 Kayano and Kaizawa Kōichi, who had taken his late father's place, filed suit in the Sapporo District Court.

On the twenty-seventh of March 1997 the court handed down its decision. It made extensive historical findings about the deprivations the Ainu had suffered. It held that the Ainu are an indigenous people, entitled to enjoy their own culture under Article 27 of the International Covenant on Civil and Political Rights and Article 13 of the Constitution — the first time any organ of the Japanese state had said so. It found that the interests of an indigenous minority required greater

consideration than those of other minorities. And it held that the administrative decisions to expropriate the land and approve the project had been illegal.

Then it declined to reverse them, on the ground that the dam was substantially complete and that quashing the expropriation would not serve the public interest.

The plaintiffs won every proposition and received nothing. The agency founded in 1869 to open this island took the land in 1989, built the dam while the case ran, and kept it. **An order that has reached the self-running pole does not have to win the argument. It only has to finish the works before the judgment.**

Reading collapse against the framework

The Ainu did not free themselves, and no reading of the evidence permits the flattering story. There was no rising because a rising was structurally impossible, and when the floor did crack it was cracked by the United States Army for reasons entirely unconnected to anything on this island. **The corpus's claim that structural change comes from the armed and not from the ground is confirmed here in its strongest form: the conquered population's total contribution to the moment of maximum opportunity was a petition, which was refused.**

A conquest-crack releases only what the conqueror's categories can name, and can take from those the categories misclassify. This is the module's contribution and it is new to the collection. The occupation's reform programme was real, forceful and effective — it destroyed an absentee landlord system that fifty years of domestic politics had not dented. And because its operative category was the landlord, and because an Ainu grantee's unworkable five *chō* was usually leased to a Japanese neighbour, the same reform took about a third of the granted land and a court described what was taken

as the private benefit of people of inferior capacity. **When a rival elite remakes a settlement at bayonet-point, the question to ask is not whether it is sincere but what its enumerated categories are, because everything outside them is invisible and anything that resembles a category from the wrong side will be processed as that category.**

And an externally opened window closes on the opener's schedule. Five years, and then a war in Korea repriced the entire country and the reforming impulse was withdrawn — the *zaibatsu* dissolution abandoned, the purges reversed, the bureaucracy restored, and in 1950 the colonial development office reconstituted under a new name with a minister of state at its head. **A population that must be liberated by somebody else's conqueror has a claim on that conqueror's attention only for as long as the conqueror's own strategic problem lasts, and that duration is set on another continent.**

The settler colony that annexes rather than administers does not decolonise; it naturalises, and the machinery survives the transition intact. Hokkaidō's outcome was not collapse and not independence but disappearance as a question, and the mechanism was demographic and legal rather than ideological: no metropole to withdraw, no majority to hand back to, no separate status left to dissolve. **The framework should record this as the third outcome alongside collapse and continued rule — the case in which the colony ends by ceasing to be distinguishable from the country that took it**, and should note that the institutional apparatus of the conquest is precisely what survives, because in that outcome nobody ever has occasion to abolish it.

❧

A note on sources. This module quotes nothing exactly, and two attributions need care.

Yoshida Shigeru's characterisation of the Korean War as a gift of the gods is given here as reported in the peer-reviewed literature — it is used in that form in the *Critical Asian Studies* article on Japan and the Korean War — and is very widely repeated. This study has not traced it to a Japanese original, does not know its exact wording, its date, or the setting in which it was said, and therefore reports it as a characterisation attributed to him rather than as a quotation. It should be verified before it is relied upon further, and the title of this module rests on it and would need to change if it does not hold up.

The judicial characterisation of Ainu granted land as the private benefit of former natives of inferior living capacity is given in paraphrase from the Japanese-language secondary literature, which quotes the phrase 「生活能力の劣っている旧土人の私益」 as the substance of the judgment in the suit brought against the purchase of granted land under the land reform. The case has not been traced to a law report here and neither the court nor the date is established in the sources consulted. The paraphrase should not be treated as the court's wording.

The Ainu Association material — its reconstitution in 1946, its resolution at the Sapporo general meeting in May 1946 to seek exemption of granted land from the Land Reform Act and its petition to the prefecture, the prefecture's application to the government that October and its refusal, the purchase from 1948 amounting by 1951 to about 1,970 *chō* of farmland and 516 *chō* of pasture or some thirty-four per cent of the granted total, the unsuccessful litigation, and the resettlement of twenty-two households at the released Niikappu imperial stud farm — is drawn from the Ainu Association of Hokkaidō's own published chronology and from the Japanese-language survey literature on Ainu history, which agree. The successive amendments to the 1899 Act (the deletion of articles 4, 5 and 6, the deletion of article 2-2 by the Act of 31 March 1947, the substitution of "Hokkaidō governor" for "Hokkaidō director" under the Local Autonomy Law, and the removal of the ministerial approval requirement in article 10) are from the Japanese reference literature on the statute. The estimate that the surviving

granted land is about fifteen per cent of the original was reported with its source in Module 2.

The Hokkaidō land reform figures were sourced in Modules 5 and 6. The Hokkaidō Development Act of 1 May 1950, the establishment of the Development Agency on 1 June 1950 as an external bureau of the Prime Minister's Office headed by a minister of state, the Development Bureau of 1 July 1951, the comprehensive plans from 1952, and the absorption into the Ministry of Land, Infrastructure and Transport in January 2001 are from the Development Bureau's own published history and the Japanese reference literature. The reverse course sequence — its beginning in 1947, the abandonment of *zaibatsu* dissolution, the removal of public-sector strike rights, the Red Purge of 1950, the police reserve and the security treaty — follows the standard English-language account and Nick Kapur's work as cited there.

The Nibutani Dam case is drawn from the English-language legal literature: Mark A. Levin's translation and commentary on the decision, the *International Law Reports* headnote, and the contemporaneous accounts in the *Murdoch University Electronic Journal of Law* and the *Indigenous Law Bulletin*. The particulars used are the 1978 plan for two dams in the Saru watershed, the refusal of Kaizawa Tadashi and Kayano Shigeru to consent, the 1993 filing by Kayano and Kaizawa Kōichi, the decision of the Third Division of the Sapporo District Court of 27 March 1997, its recognition of the Ainu as an indigenous people under ICCPR Article 27 and Article 13 of the Constitution, its finding that the expropriation and project approval were illegal, and its refusal of substantive relief on public-interest grounds because the dam was effectively complete. The decision itself has not been read in the original and no part of it is quoted.

Kayano Shigeru's election to the House of Councillors in 1994, the repeal of the 1899 Act and the enactment of the Ainu Cultural Promotion Act in 1997, the Diet resolutions of 2008, the Act of 2019 and the opening of Upopoy at Shiraoi in 2020 are

from the standard reference sources and the Japan Federation of Bar Associations' 2022 resolution on Ainu rights, which sets out the sequence and its criticisms of it.

One caution about the closing section. The claim that Hokkaidō has naturalised — that the order now runs on the ordinary conviction of its population rather than on force — is a judgement about the present, made from outside, on the basis of structural indicators rather than of any survey evidence. It is offered as this study's reading and not as a finding, and a reader in Sapporo would be better placed to test it than this study is.

MODULE 11

WHAT COULD HAVE KILLED SO MANY YOUNG MEN

Module 11 — the grim accounting, 1869–1945: a conquest with no famine, a people who were submerged rather than killed, a metabolic debt paid by the land instead of the population, and the graves of men brought here from somewhere else

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The bill that did not arrive

The framework's expectation for a conquest is a double reckoning. There is what the sword does directly, which is usually visible and sometimes counted. And there is the metabolic note: an advanced civilisation uses coordination — irrigation, granaries, a redistributive administration, a tax that moves grain from surplus to deficit — to hold a population above what the ground would carry unaided, and a conquest that breaks the coordination while the population is still there calls that note in, in famine. The Bengal famines, the collapse of the Roman *annona*, the Irish arithmetic of the 1840s: the mass deaths in a conquest are usually not from wounds.

Run that expectation over Hokkaidō and it fails, and the failure is instructive.

There was no famine. There was no collapse of a food system, because there was no food system in the relevant sense. As the landscape module established, the Ainu lived on salmon runs,

deer, sea mammals, shellfish, roots and elm bark, stored against a five-month winter and supplemented by traded rice — with no granary, no irrigation, no redistribution and no administration holding anyone above what the island produced. The safety margin was space: the next valley, when the salmon failed.

A people at or below the land's unaided carrying capacity carries no metabolic debt, and a conquest of such a people therefore produces no famine, however brutal it is in other respects. That is worth stating as a general rule, because it is the reason this module's shape differs from its equivalent in almost every other case in the collection, and because it warns against a bad inference: the absence of mass death by starvation is a fact about what the conquered had, not about what the conqueror did.

What happened to the Ainu instead

The demographic record is unusual and should be read carefully, because it does not say what a reader arriving from the Americas or Australia will expect.

The first serviceable count, in 1873, gives 16,272 Ainu within a total island population of 111,191 — a little under fifteen per cent. Estimates for the Tokugawa period are given as a range: twenty to thirty thousand for most of it in the careful modern literature, with higher figures of up to eighty thousand for the early eighteenth century in some general accounts resting on thinner evidence. A figure of about 17,300 is reported for 1903, and the population is generally described as bottoming out and recovering to something over twenty-four thousand by the mid-1980s.

Now set that against the other column. Hokkaidō's population was about sixty thousand in 1869, some three hundred thousand by 1886, passed one million in 1901, and stood at 2,170,000 by 1918.

So the Ainu did not undergo a catastrophic absolute collapse during the Meiji settlement. They went from roughly fifteen per cent of the island's people to under two per cent inside thirty years, while their own numbers moved comparatively little. **They were not killed. They were submerged** — reduced to a statistical remainder by the arrival of two million other people, in a process that produced almost no corpses attributable to anybody and no event that a chronology would record.

That is a distinct mechanism and the framework should hold it separately. Dispossession by inundation leaves no massacre to investigate, no famine to date, and no mortality spike to argue about. What it leaves is a ratio, and the ratio does all the work: at fifteen per cent a people is a political fact that an administration must consider, and at under two per cent it is a welfare case. The 1899 Act was drafted at the second figure, and could not have been drafted at the first.

The absolute mortality that did occur is real and belongs on the page. The Tsuishikari removals killed at a rate that would be called catastrophic anywhere: thirty of about a hundred and forty in the cholera of 1879, and 319 of about eight hundred in the thirteen months from January 1886 — two in five of a village in a year. Smallpox, measles and syphilis carried in by the coasting trade had been reducing Ainu numbers since well before the annexation. And the explanation is contested in a way this module cannot settle: the older account attributes the deaths to an unexposed population meeting new pathogens, and a newer line of argument, which has been gaining ground, points to the conditions — men worked through the fishing season with no time to lay in winter stores, households dispersed from their villages, communities moved by administrative order onto ground they did not know. Both are in the literature. The honest position is that the second explanation is doing more of the work than it used to and that the question is open.

The debt the land paid

Here is where the metabolic frame does apply, with the sign reversed, and it is this module's principal finding.

The Ainu carried no population overshoot for a conquest to call in. What they had instead was a resource base that had supported them indefinitely under a use regime with no mechanism for accumulation. The conquest did not destroy a coordination system holding people above carrying capacity. **It destroyed the carrying capacity itself, and did so on purpose, for export.**

The ledger is specific. More than half a million Ezo deer were taken between 1873 and 1878 under government-sponsored hunting, canned and shipped to France and elsewhere; the remnant was then declared a conservation problem and the Ainu were licensed, then restricted, then prohibited. The salmon rivers were closed at Sapporo in 1878, extended in 1879, and the upper Tokachi in 1883, while commercial fishing continued. The herring — which was never Ainu subsistence but was the island's largest industry — peaked near a million tonnes in 1897, was fished to commercial extinction, and the last run was seen in 1954; the inshore fishery ended in 1957. Boiling that catch into fertiliser consumed enormous quantities of firewood and deforested the coast. The interior was cleared by convicts and by tenants.

So the metabolic note was called in, and the debtor was the island. **Where a conquest replaces a subsistence regime with an extractive one on the same resources, the bill appears not as famine in the year of conquest but as permanent ecological liquidation across the following century — and the conquered pay it not by dying but by becoming wage labourers, because a people whose food has been converted into somebody's export commodity must thereafter buy food.** That transformation is the

substance of what happened to the Ainu, and it has no death toll attached to it at all.

The people who did die

Which brings the accounting to the men who died on this island in the largest numbers, and they were not the conquered.

The civil war. The Hakodate campaign of 1869 cost the imperial side some 770 killed and wounded and the Ezo republic something like 1,700 killed and wounded with 1,300 captured. Every casualty was Japanese, and the Ainu appear in the order of battle on neither side.

The convicts. From 1881, men under sentence of penal servitude were transported to five prisons and set to clear, mine and build. The recorded disease deaths across four of those prisons total 384, of which 188 were at Abashiri; the Abashiri–Kamikoshi section of the Central Road cost somewhere between roughly 185 and 215 lives out of a working party of about a thousand, in under a year. They were worked in chained pairs with a four-kilogramme weight, in locked huts, under a policy whose author had written down that their deaths reduced the prison bill and were therefore an unavoidable measure. Their graves are marked by lengths of chain.

The *takobeya* men. From the mid-1890s the convict gangs were replaced on the same works by debtors recruited by brokers, locked in, worked fourteen to sixteen hours, and disciplined by beating and sometimes by killing. The system ran until 1946. Nobody counted them, and the reason nobody counted them is that a private contractor files no returns. The bodies found in the walls of the Jōmon tunnel are commemorated on that line today.

And the Koreans and the Chinese. This is the largest item in the accounting and it belongs to a conquest that is not this one.

Between 1939 and 1945, on the South Korean commission's documentation, some 798,043 Koreans were forcibly mobilised and sent to Japan, to 1,589 worksites — of which 381 were in Hokkaidō. An estimated 145,000 Korean and 16,000 Chinese workers were brought to this island for the coal mines and the construction sites. By March 1945 Japan's coal mines employed 412,241 people, of whom 135,751 were Koreans, 9,651 Chinese forced labourers and 7,362 Allied prisoners of war. The commission estimated that more than ten per cent of those mobilised died or went missing at the worksites or during repatriation, which would put the empire-wide figure somewhere near eighty thousand; fewer than ten thousand have been identified by name.

The Buddhist priest Tonohira Yoshihiko, working at Shumarinai near the Uryū dam — built between 1938 and 1943 for the Ōji Paper Company, which Mitsui owned, as did Mitsui own four large Hokkaidō collieries — found temple records listing Korean names of men in their twenties and thirties. There had been no enemy troops and no combat operations in Hokkaidō. He asked what could have killed so many young men, and the search for the graves has been running ever since.

Hold the shape of that against everything the preceding modules established. Hokkaidō's largest single body of conquest deaths consists of men brought here under compulsion from Korea — a country annexed in 1910, forty-one years after this island was — to dig coal from a field the state had sold to a private company at a thirteenth of its comparable value, with the loan of convicts thrown in.

A settler colony that imports its labour imports its death toll, and where the empire has other colonies, the imported deaths will be drawn from them. The grim accounting of this conquest is therefore substantially a debt transferred from a later one, and it is recorded — where it is recorded — as a Korean grievance against Japan rather than as anything to do with Hokkaidō. Any per-colony accounting that

counts deaths by the nationality of the dead rather than by the ground they died on will file this in the wrong ledger, and the corpus should note that possibility wherever an empire runs more than one possession at once.

What the counterfactual is worth

Two honest qualifications, because an accounting that only tallies one side is not an accounting.

The first is that the Ainu were not met in a state of nature and their decline did not begin in 1869. The contract-post system had made them a wage labour force by the eighteenth century, the trade had already reorganised their economy away from cultivation, and epidemic disease had been reducing their numbers for generations before the Kaitakushi existed. Meiji policy accelerated, completed and legalised a dispossession that Matsumae had begun. That does not reduce the Meiji state's responsibility — it inherited the process, understood it, and drove it further and faster — but it does mean the honest counterfactual is not an untouched Ainu world.

The second is the alternative sovereign. The Ainu of the Kurils and Sakhalin were divided by treaty between two empires, and the Russian side was not the better bargain: the ninety-seven people moved off Shumshu to Shikotan in 1884, and the Karafuto Ainu who crossed illegally back to a Russian penal colony after the Tsuishikari mortality, do not constitute an argument that Japanese rule was the worse of two available fates. It is worth saying plainly that both empires were closing on the same people from opposite directions and that the framework's business is not to award a prize.

Neither point diminishes the ledger. They establish what the ledger is a ledger of: not a fall from an idyll, but the last stage of a two-century enclosure, carried out by a modernising state that had the administrative capacity to do it completely and the legal

vocabulary to do it without ever writing down a discriminatory clause.

Reading the accounting against the framework

A conquered people with no coordination-supported population overshoot generates no metabolic debt, and the absence of famine in such a case says nothing about the conquest's severity. This is the module's first correction and it matters for how the corpus reads its own results. The grim accounting has been, in most cases, an accounting of famine, because famine is where the numbers are. Hokkaidō has no famine and a thorough dispossession, and a method that looks for mass mortality as its principal index will read the second through the absence of the first and get the answer wrong.

The metabolic frame still applies, with the debtor changed from the population to the resource base. Half a million deer in five years, the salmon rivers closed to their users and open to the canneries, the herring run extinguished, the coastal forest burned under the fertiliser cauldrons. **Where the conquest converts a subsistence resource into an export commodity, the note falls due as ecological liquidation over a century rather than as starvation in a decade, and the conquered discharge it by becoming wage labourers rather than by dying.** That is a slower and quieter accounting and it is not smaller.

Dispossession by inundation is a distinct mechanism and leaves almost no evidence. The Ainu went from fifteen per cent of the island to under two in thirty years without a collapse in their own numbers, because two million other people arrived. There is no massacre, no epidemic year, no policy document to point at. **Where a settler influx is large enough and fast enough, the ratio alone accomplishes what force**

accomplishes elsewhere, and the resulting record will contain nothing an investigator would recognise as an atrocity — while the political consequence, which is that a people ceases to be a party and becomes a welfare category, is complete.

And the largest body of dead on the ground of one conquest may belong to another. The men in the unmarked graves at Shumarinai were Korean, mobilised under the 1910 annexation, working for a Mitsui subsidiary on a dam in Hokkaidō. **An empire with multiple possessions moves its coerced labour between them, and a study organised by colony will systematically lose those deaths at the boundary** — counted, if at all, against the colony the men came from rather than the colony they died in. The corpus should carry that as a standing caution, and this study records it plainly: on this island, in the ground, the largest single group of people killed by the arrangement described in these modules were not Ainu and were not Japanese.

❧

A note on sources. This module quotes nothing exactly. Its title paraphrases a question attributed to the Buddhist priest Tonohira Yoshihiko in the peer-reviewed account of the search for Korean forced labourers' graves in Hokkaidō published in *International Labor and Working-Class History* (2024) by David Palmer; the observation that there were no enemy troops or combat operations in Hokkaidō is quoted in that article from Tonohira, and this study has not seen his own writing. The words should not be treated as his exact wording in either Japanese or English.

The wartime forced-labour figures are from that article and from Pia Jolliffe's study of forced labour in Hokkaidō in the *Asia-Pacific Journal*: the South Korean Commission's documentation of 798,043 Koreans mobilised to Japan between 1939 and 1945 across 1,589 worksites, of which 381 were in Hokkaidō; the estimate of 145,000 Korean and 16,000 Chinese workers brought to Hokkaidō; the March 1945 coal-mine employment breakdown of 412,241 total with 135,751 Koreans, 9,651 Chinese and

7,362 Allied prisoners of war; the Commission's estimate that more than ten per cent died or went missing, implying perhaps eighty thousand empire-wide; the identification of fewer than ten thousand by name, following Takeuchi Yasuto's research; and the Uryū dam at Shumarinai, built 1938–43 for the Ōji Paper Company under Mitsui ownership. The Commission's and Takeuchi's site figures differ and are noted as such in the source. These are empire-wide rates applied to a Hokkaidō population; **no verified count of Korean or Chinese deaths in Hokkaidō specifically is given here, because none was found**, and the reader should not infer one from the percentages.

The Ainu population figures are as reported in Modules 1 and 2 of this study: 16,272 within 111,191 in 1873, with the Tokugawa range of twenty to thirty thousand and the higher eighty-thousand figure given as competing estimates. The figure of about 17,300 for 1903 and the recovery to 24,400 by the mid-1980s are from an encyclopedic secondary source and have not been checked against the prefectural surveys; they should be treated as indicative. Recent figures — 11,450 in the 2023 Hokkaidō survey, against unofficial estimates of 200,000 or more of Ainu descent — reflect self-identification under conditions of near-total assimilation and stigma and are not comparable with the nineteenth-century administrative counts. The Hokkaidō totals of about sixty thousand in 1869, some three hundred thousand in 1886, over one million in 1901 and 2,170,000 in 1918 are from the Hokkaidō Museum of Northern Peoples' published settlement history.

The Hakodate casualty figures, the convict death tolls and the *takobeya* material were sourced with their qualifications in Modules 1 and 5; the Tsuishikari mortality in the Landscape and Module 1; the deer, salmon, herring and forest figures in Modules 1 and 6. The historiographical dispute over the mechanism of Ainu depopulation — immunological versus conditions-of-labour — follows the recent article on Japanese colonial policy as a social determinant of Ainu health in *Social History of Medicine*, which sets out the case for the second reading; this module reports the dispute rather than resolving it, as promised in the Landscape.

Two gaps are stated rather than filled. First, there is no aggregate mortality figure for the Ainu under Meiji rule in this study, because the sources reached do not support one and because the demographic pattern — relative submersion rather than absolute collapse — is not one that a death toll would capture. Second, the *takobeya* deaths across half a century are genuinely unknown, and any total for this island that omits them, as every total does, is an undercount of unknown size.

Finally: the ledger above is drawn almost entirely from records kept by the party that caused the deaths. The convicts were counted because the state chained them and had to account for them. The Koreans are being counted now, eighty years late, by volunteers digging in temple ground. The Ainu who died at Tsuishikari were counted by the official who described himself as their affectionate mother. Nobody counted the men in the octopus rooms at all.

MODULE 12

THE FORTY-EIGHTH PREFECTURE

Module 12 — convergence and divergence: five acquisitions by one state in forty-one years, why two became provinces of Japan and three did not, what that settles about the ratio hypothesis, and the strongest case that can be made for the record described in these modules

A case study in the Patterns of Power series · Thomas J. Bryan with Claude (Anthropic) · held as tested, not revealed

The experiment that was already run

The collection has a standing problem with the assimilation question. Some conquerors set out to make the conquered into copies of themselves, and some spend real administrative effort preventing exactly that, and the explanations usually offered are cultural: the French had a doctrine of universal citizenship, the British had one of indirect rule and racial distance, Rome absorbed, the Spanish converted. Those explanations are unfalsifiable in the ordinary way, because each case comes with its own ideology attached and no two can be compared with ideology held constant.

Japan solves that problem, because Japan ran the experiment on itself.

Between 1869 and 1910 one state, staffed by one generation of officials trained in the same institutions and in several cases the same men, acquired five territories: Hokkaidō in 1869, the Ryūkyūs in 1879, Taiwan in 1895, southern Sakhalin in 1905 and Korea in 1910. The doctrine was constant — *isshi dōjin*, the

sovereign's impartial benevolence, appears across all of them, and by the late 1930s so does the language of making imperial subjects. The personnel overlap directly: Nitobe Inazō sat in William Clark's lecture room at the Sapporo Agricultural College in the 1870s, held a chair in colonial policy, and helped design the sugar administration of Taiwan.

And the outcomes diverge completely. Two of the five became ordinary provinces of Japan. Three did not, and never would have.

What was done in each

Hokkaidō, 1869. The inhabitants were entered in the Japanese family register as commoners in 1871. No separate legal system was ever created. The island was excluded from the franchise by Article 111 in 1889, admitted between 1900 and 1904, given an assembly in 1901, and made an ordinary prefecture in 1947. Ainu children were put through separate schools with a shortened curriculum from 1901 to 1922, and then into the ordinary system. The 1899 Act was a welfare statute inside Japanese law, not a colonial code.

The Ryūkyūs, 1879. Abolished as a kingdom and made Okinawa Prefecture immediately — formally a province of Japan from the first year. Excluded from the franchise by the same Article 111, admitted in 1900, with conscription following in 1898 and in the Sakishima islands in 1902. Assimilation was pressed hard and the population was Ryūkyūan throughout; there was never a settler majority. Okinawa is a prefecture today and its inhabitants hold a distinct identity that has not dissolved.

Taiwan, 1895. A governor-general with power to legislate by ordinance — the *ritsurei* — and a legal order deliberately separate from the metropole's. Taiwanese kept Taiwanese family registration. Separate school systems for islanders and for settlers, with a handful of places reserved for elite colonials. No Diet representation. The first local elections were held in

November 1935, on a five-yen tax qualification that enfranchised 229,049 people out of about four million; half the council seats were elected and half appointed. Assimilationist parties on the island were destroyed not by Tokyo but by the opposition of Japanese settlers unwilling to see Taiwanese acquire rights they wished to keep.

Karafuto, 1905. Southern Sakhalin, taken at Portsmouth. Russians repatriated; Japanese migration immediate and overwhelming — more than fifty thousand settlers in five years and ninety-six per cent of the population by 1910. By the mid-1930s some three hundred thousand people, of whom about two thousand were indigenous. Administered as an external territory under the Ministry of Colonial Affairs from 1920, with the settlers running a long campaign for recognition as *naichi*. Legislation of September 1942 granted it: from April 1943 Karafuto was reclassified as inner territory and treated in the official listings as the forty-eighth prefecture, ahead of Hokkaidō.

Korea, 1910. A governor-general, a separate legal order, Korean family registration retained wherever the holder went in the empire, separate schools, no Diet franchise for the peninsula's population, and — from 1937 — a forced assimilation campaign, *naisen ittai*, Japan and Korea as one body, which changed names and language and conferred no rights.

The variable

Set the five beside one another on the ratio of settlers to indigenous inhabitants and the pattern is not subtle.

Where the settlers became the overwhelming bulk of the population — Hokkaidō, where the Ainu fell from about fifteen per cent in 1873 to under two by 1901, and Karafuto, where Japanese were ninety-six per cent by 1910 — the territory was legally incorporated, the inhabitants entered in the metropolitan register, and no separate colonial code was written. Where the

indigenous population remained the population — Taiwan with some four million, Korea with well over ten million, Okinawa with a Ryūkyūan majority throughout — the territory was administered under a distinct legal order, or, in Okinawa's case, nominally incorporated and materially held at arm's length for two decades.

That is the seed's hypothesis and it survives its first serious test. But there is a confound, and the honest thing is to name it before claiming the result.

The confound is timing, and it comes from this study's own Module 4. Hokkaidō and the Ryūkyūs were taken while Japan was still manufacturing "Japanese" out of the populations of two hundred and sixty abolished domains — while the school system was three years old and peasants in Mimasaka were burning it down. Taiwan and Korea were taken by a finished nation-state with a settled identity, for whom admitting anyone was a concession rather than a continuation. Ratio and timing predict the same outcome across four of the five cases, and a comparison in which two variables move together settles nothing.

Karafuto breaks the tie, and it breaks it for the ratio. Sakhalin was taken in 1905 — ten years after Taiwan, five before Korea, by the same finished nation-state at the height of its imperial confidence. On the timing hypothesis it should have been governed as an external possession under a separate code, and for thirty-eight years it was. Then, with an overwhelming settler majority and two thousand indigenous inhabitants, it was incorporated as the forty-eighth prefecture. The timing variable predicts segregation and the ratio variable predicts incorporation, and incorporation is what happened.

Okinawa breaks it from the other side. Taken in 1879, in the same phase as Hokkaidō, by the same nation-in-assembly, and made a prefecture on paper at once — and yet the franchise waited until 1900, conscription until 1898, and a Ryūkyūan identity persists today that no Ainu equivalent survived in the

same form. The timing variable predicts full absorption and did not get it. The ratio variable predicts incomplete absorption and did.

So the hypothesis holds, with a correction that makes it more useful: **the ratio governs, and the metropole's stage of self-assembly modulates the vocabulary in which the policy is expressed rather than the policy itself.** Both variables are real. Only one is decisive.

The mechanism, which is a filing system

The variable operates through an instrument, and finding it is the point of running a comparison at all.

The instrument is the family register. Under the imperial system every subject held registration in one jurisdiction — *naichi*, Korean, Taiwanese — and carried it wherever he went, so that a colonial migrant in Osaka remained legally distinguishable from a metropolitan one. The rules for changing register mirrored the rules for changing nationality. On that single administrative fact rested the separate school systems, the differential rights, and the permanent legibility of who was and was not properly Japanese.

The Ainu were entered in the *naichi* register in 1871.

Everything in this study follows from that entry, and it was not a gift. As Module 3 established, Japan needed the inhabitants of the northern islands to be Japanese in order to hold the ground against Russia under a law of nations that read inhabitants as title. The register entry was an instrument of external policy that happened to fall on a people, and once made it could not easily be unmade — with three consequences that run through every module above.

It meant the dispossession had to be universal rather than racial. There was no clause barring an Ainu from the 1897 Act's five hundred *chō*, from the franchise, or from anything else, because there was no legal category to write the clause against.

So the exclusion migrated into the qualifying conditions, and left a documentary record in which nothing discriminatory can be found.

It meant the formation was total rather than withheld. A population inside the register is a population the school system is for; the four years against six and the missing science were a shortfall within a system, not a separate system.

And it meant there was nothing to decolonise. Taiwan and Korea were separable because they had always been separate in law; the register told you where the line ran. Hokkaidō had no line. When the empire was dismantled in 1945 the external territories fell away along the register boundaries, and the northern island stayed, because by the state's own filing it had never been anywhere else.

Where a conquest is legally executed by incorporation rather than by the creation of a distinct status, the conquered acquire equality of category and lose every instrument that a distinct status would later have given them to argue with. That is the trade, and it was not offered to the Ainu; it was made about them, in 1871, for a reason concerning Russia.

What converges with the Western cases, and what does not

The convergences are close enough to be uncomfortable and they were not, on the evidence, mostly borrowed.

The fiction was vacancy — 未開地, undeveloped land, in the title of the statute that disposed of a million hectares — and the warrant was the proposition that improvement confers title, which the Colonisation Office asserted in its own voice in 1869 before any foreign adviser was hired. The machinery was American and the transmission is dated: Capron and Clark brought the Homestead Act and the Morrill Act, the free lease converting to a free freehold on proof of success is a homestead

entry, and the survey grid laid across the Ishikari plain regardless of terrain is the township and section. The 1899 Act's allotment in severalty with restraint on alienation is, on the standard Japanese reference literature's own account, modelled on the Dawes Act of 1887. The robe was cut for the metropole and for the Western powers watching, and nothing at all was addressed to the conquered. The extraction was sorted by caste, and the labour was coerced.

The divergences are equally real and must not be flattened to protect the pattern.

There was no racial clause anywhere in the statute book. There was no colour bar, no pass law, no residential segregation, no prohibition on intermarriage — indeed the 1899 Act's administration turned on rules for the children of mixed marriages, which presupposes their commonness. Formation was imposed rather than withheld, which is the exact inverse of the Rhodesian mechanism. The Dawes model was borrowed and then made harsher in one respect and emptier in another: no term on the restraint, a confiscation clause Dawes lacked, and nothing traded for it, because the citizenship Dawes offered had already been imposed unilaterally a generation earlier. And the colony did not end. It became the country.

One further divergence is the largest and it is not to Japan's credit or discredit but simply to the case's shape: **the coerced labour was imported.** A settler colony with too few indigenous people to serve as a labour supply does not become gentle; it manufactures a labour force in the metropole and, if it has other colonies, in those. The convicts came from Satsuma and the People's Rights movement; the *takobeya* men from Tōhoku under debt; and in the war, some hundred and forty-five thousand Koreans and sixteen thousand Chinese, to three hundred and eighty-one worksites on this island.

The strongest counter-position

Now the case against everything above, stated as its best advocate would state it and not as a straw figure.

It would run like this. Japan in 1869 was a poor agricultural country that had been forced open at gunpoint sixteen years earlier, was operating under unequal treaties it could not revise, had no tariff autonomy and no jurisdiction over foreigners on its own soil, and was watching Russia move down the Kurils and into Sakhalin while Britain and France carved up everything to its south. Every other non-Western state in that position was colonised within a generation. Japan was not. It became, inside forty years, a modern industrial power capable of defending itself — and it did so on inputs that this study has spent twelve modules counting. The herring fertiliser that grew the cotton that earned the foreign exchange. The Ishikari coal that ran the railways and the steel. The northern frontier held against an empire that would otherwise have taken it, as it took northern Sakhalin, and as it had taken everything from the Amur to Kamchatka.

The counterfactual is not an untouched Ainu world. It is a Russian Hokkaidō, and the Ainu under Russian rule — the ninety-seven moved off Shumshu, the Sakhalin communities on a penal island — do not constitute an argument that the Japanese outcome was the worse of the two available.

Nor was the Ainu order a state of nature. It was itself, on this study's own account, a thirteenth-century synthesis over older ones, and by 1869 the Ainu had spent two centuries inside a Matsumae trading system that had already made them wage labourers, already reorganised their economy, and already been ravaged by disease. Meiji policy completed a process it did not begin.

And look at the outcome. Hokkaidō today is a prosperous, literate, peaceful province of a wealthy democracy, home to five million people who live longer and better than almost anyone in

history. The Ainu are Japanese citizens with the full protection of law, recognised by statute since 2019 as an indigenous people, with a national museum, a state-funded cultural programme, and eased restrictions on traditional fishing. Set that beside the fate of comparable peoples under other nineteenth-century settler states and the comparison does not obviously run against Japan.

That case is not weak and it should not be dismissed. Three parts of it are simply true. The strategic threat was real; the Kuril and Sakhalin record shows what the alternative sovereign did. The extraction genuinely did fund the industrialisation that preserved Japanese independence. And the recursion holds: there is no innocent baseline here to restore, and this study has said so from the landscape onward, because a conqueror never meets an aboriginal order — only earlier builds that took.

Here is what the case does not reach.

It does not reach the arithmetic of 1897 and 1899. The strategic argument explains why Japan needed the island, why it needed the coal and the fertiliser, and why it needed the inhabitants on the register. It does not explain five hundred *chō* to a settler and five to an Ainu household, two years apart, from the same legislature. It does not explain why the five could not be mortgaged when the five hundred could, or why the grant was forfeit if unbroken while the settler's inspection was lax. Nothing about Russia required those terms.

It does not reach Article 8. The relief attached to the Protection Act — the seed, the tools, the medicine, the school fees — was charged first against the Ainu's own common property, administered by the governor under Article 10, who was empowered under Article 11 to dispose of it and to decline to divide it among those entitled. That is not a measure a country adopts because it is poor and threatened. It is a measure a country adopts because the cost fell on people who could not object.

And it does not reach the affordability finding, which is the sharpest thing this study has. The same government abolished elementary school fees for every Japanese child in 1900, and took enrolment from twenty-eight per cent to ninety-eight in a generation by making the benefit column worth more than defection. It could pay. Whatever was not given to the Ainu was not withheld for want of means; the omission was affordable, and an affordable omission is a choice.

The recursion argument, finally, does the opposite of what its advocates usually want. Naming the Ainu order as a former conquest that reached the self-running pole is not a demotion of it. It establishes that a built order becomes authentically real — that the thirteenth-century synthesis was as genuinely the Ainu's world as the grid at Sapporo is now genuinely the settlers'. What follows from the recursion is not that no one was wronged. It is that there is no earlier innocence to appeal to, which is a harder position than the one the argument is usually deployed to defend, and it cuts precisely as far against the conqueror as against the conquered.

Reading the whole against the framework

Ideology is downstream of arithmetic, and this case is the cleanest demonstration the corpus has. One state, five acquisitions, one doctrine, forty-one years, opposite policies — and the variable that sorts them is the ratio of settlers to indigenous inhabitants, with Karafuto and Okinawa crossing the timing hypothesis in opposite directions and both landing on ratio. **A conqueror's assimilationism or segregationism should be read as an output rather than an input**, and where a study finds itself explaining policy by national character or philosophical tradition, it should look for the population figures first.

The register is the instrument, and it is the thing to look for in any imperial case. Whether the conquered were

entered in the metropolitan civil status or given a separate one determines, downstream and almost automatically, whether exclusion must be written or can be left to conditions, whether formation is imposed or withheld, and whether the territory can later be decolonised at all. **Look for the filing system before looking for the doctrine.**

And what was done here to the ground has outlasted everything done to the people. The Ainu were submerged rather than killed and are now recognised, funded and museum-housed; the deer, the salmon runs of the Ishikari and the Tokachi, the coastal forest and the herring are gone, and the herring is not coming back at anything above one per cent of what it was. **Where a conquest converts a subsistence resource into an export commodity, the political injury is in principle reversible and the ecological one is not** — and a corpus that measures conquests by their political settlements will consistently misjudge which of their effects was permanent.

❧

Kayano Shigeru and Kaizawa Tadashi went to court over land on the Saru river. On the twenty-seventh of March 1997 the Sapporo District Court found that they were an indigenous people, that their culture was protected under the Constitution and under international covenant, and that the expropriation of their land had been illegal. It declined to reverse it, because the dam was already built.

❧

A note on sources. This module quotes nothing exactly and rests substantially on the preceding eleven, whose sources are given there and are not repeated.

The comparative material is drawn as follows. The family-register system as the operative mechanism of imperial legal differentiation — *naichi*, Korean and Taiwanese registration carried by the holder

throughout the empire, the mirroring of registration rules and nationality rules, the separate school systems in Korea and Taiwan with reserved places for elite colonials, and the characterisation of the arrangement as creating states within a state — follows Tessa Morris-Suzuki's article on nationality in the prewar Japanese empire, which draws on Tanaka (1984). The Taiwanese electoral figures — the local elections of 22 November 1935 with half the seats elected on a five-yen tax qualification enfranchising 229,049 of about four million, and the prefectural elections of 12 November 1936 — are from the standard reference entries. The destruction of Taiwanese assimilationist parties by the opposition of Japanese settlers is from Gunnar Abramson's comparative study of Japanese colonial policy in Taiwan and Korea. The *ritsurei* system and the deliberate legal separation of Taiwan follow Wang Tay-sheng's work as described in the publisher's and reviewers' accounts; the monograph itself has not been read here.

The Karafuto material — Russian repatriation after 1905, more than fifty thousand Japanese settlers within five years and ninety-six per cent of the population by 1910, a population above three hundred thousand by the mid-1930s with about two thousand indigenous inhabitants, some four hundred thousand by 1943, administration as *gaichi* under the Ministry of Colonial Affairs from 1920, the settlers' campaign for *naichi* status, the legislation of 11 September 1942 effective April 1943, and the treatment of Karafuto in official listings as the forty-eighth prefecture ahead of Hokkaidō — is drawn from the reference literature and from the popular history summarising Tessa Morris-Suzuki's work on the island. The date at which Sakhalin Ainu became Japanese nationals is given in one of those sources as 1 January 1933 and has not been corroborated; it is not relied upon in the argument.

Nitobe Inazō's presence at the Sapporo Agricultural College and his later work on colonial policy and Taiwanese sugar administration were sourced in Modules 3 and 4.

Two cautions about the comparative argument. First, this study has run five cases on one variable using population ratios and administrative outcomes taken from reference literature rather than from the demographic and legal scholarship on each

territory; a specialist in Taiwanese or Korean colonial history would be able to complicate every sentence of the section above, and the finding should be treated as a hypothesis strengthened rather than as a demonstration. Second, and more seriously, the Okinawan case is compressed here almost to the point of caricature. The Ryūkyū annexation, the *dialect card*, the wartime destruction and the postwar American administration constitute a case of their own that deserves the full twelve modules, and nothing in the two paragraphs given to it above should be taken as an adequate account.

The Nibutani decision of 27 March 1997 was sourced in Module 10.